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Vol. 1, No. 7 November - December, 1973

GALLUP POLL REPORTS:

Majority Favor "Fund Raising" Games

Although the majority of Montanans favor legislation of "fund-raising" gambling activities, only a third support the legalization of a gambling industry, according to a statewide Gallup Poll conducted for the Board of Crime Control.

The survey showed that a majority of Montanans favor legalization of bingos, raffles, lotteries, punch boards and pin ball machines as a means of producing additional revenue for the state. However, nearly two-thirds of the respondents said casino gambling, off-track betting and other organized gambling games would hurt the state by bringing an influx of undesirable people (14%), causing an increase of crime (21%), increasing corruption (4%) and causing various types of social degeneration (25%).

The Board of Crime Control authorized the poll concerning gambling and related issues as an aid to planning future state law enforcement needs.

The results of the Gallup Poll, together with research findings and recommendations of the state planning agency staff, have been published in a comprehensive report *Gambling*, which was accepted by the Board of Crime Control on December 14th.

The three part report contains suggestions concerning legislation of gambling in Montana by administrator, Brinton B. Markle, a staff evaluation of the impact of legalized gambling on Nevada's criminal justice system and a summary of the Gallup Poll results.

The report strongly urges that adequate legislative controls be adopted and an independent state regulatory agency be established before gambling is legalized.

"Any government which legalizes public gambling but fails to recognize its harmful capacities, and to control the games, the operators and the players, is irresponsible," Markle concluded. He suggests "A new single purpose agency should be created to supervise the gaming industry which is totally responsible to the governor, the legislature and the people. It should be modeled after the Nevada system but begun on a much smaller scale."

The staff evaluation of the impact gambling has had on Nevada is based on on-site interviews with state and local officials as well as gambling operators. "The staff found that the gambling industry has influenced almost every phase of Nevada life. Round the clock activity, and an annual influx of 28 million tourists affect every part of state and local government and the criminal justice system," according to the report.

Gambling also contains a 47-page summary of the Gallup Organization poll.

SURVEY METHOD

The staff of the Board of Crime Control assisted the Gallup Organization in preparing a 39 question survey which focused on attitudes towards gambling, current governmental problems and law enforcement. The Gallup Organization used U.S. Census Department Statistics and other demographic data to select 1103 adults as a representational cross sample of the Montana population. The question-

(Continued on page 2)

JOHN DAVIES, Gallup Organization editor, discusses survey results with Administrator Brinton B. Markle.

MONTANA BOARD OF CRIME CONTROL

Brinton B. Markle
Executive Director

Kathe McGehee
Editor

Published at
1336 Helena Avenue
Helena, Montana

(Continued from page 1)

naire was pre-tested in New Jersey and Montana before interviews of the pre-selected sample were conducted in September.

John Davies, vice-president of the Gallup Organization, presented the survey's results to the Board, October 26th.

POSITION ON GAMBLING

Fifty-five per cent of those interviewed favored legalized gambling, three per cent were undecided and forty-two per cent were opposed to legalizing any form of gambling. Men were more likely to favor gambling than women. Residents under 50 years of age, with a college education and an annual income of more than $7,000 more often favored legalized gambling than did older residents with lower income and education levels. Other profile questions revealed that farmers, unemployed individuals and non-native residents were less likely to support gambling than office and manual workers and native Montanans.

TYPES OF GAMBLING

Interviewers asked respondents to approve or disapprove of 13 common types of gambling. Nine out of ten approved of bingo and 85 per cent favored raffles.

Punch boards, pin ball machines and a state lottery received approval from more than half the respondents. While casino gambling, off track betting and jai-lai were supported by one in three respondents.

OPERATION OF GAMES

The poll showed that bingo and raffles are more commonly associated with fund-raising by churches, civic clubs and fraternal lodges. When asked who should operate the various gambling games, 90 per cent of those who favored bingo and 78 per cent of those who favored raffles said that these games should be operated by churches and civic and social groups. Those who approve of off track betting, dog racing, or jai-lai most often mention special events such as fairs or rodeos as the places where these forms of gambling should occur. Punch boards, pin ball machines and betting on sports events tend to be associated with bars or taverns, while those who approve of dice, poker clubs or slot machines tend to believe casinos or bars are the appropriate operators. Opinion is about evenly divided on the question of the appropriate operator for a state lottery.

REGULATION OF GAMBLING OPERATIONS

Only one per cent of interviewees said no formal control of gambling was necessary. Four out of ten said the state government should license and enforce gambling operations almost an equal number supported county regulation and the remainder favored joint state and county control.

Fifty-five per cent of the respondents replied that a new state agency should be formed to regulate gambling. Of the thirty-six per cent who felt an existing agency should accept responsibility, fifty-five per cent favored a Department of Justice agency eithe the Attorney General's Office (42%) or the Board of Crime Control (13%).

Eight out of ten respondents (79%) supported strict licensing of gambling operations and all interviewed (95%) said gambling should be limited to adults. Half mentioned setting the minimum age at 18, while a third favored restricting gambling to persons 21 years of age or older.

A minority of the respondents favored further restriction of who could gamble. Some of the more commonly mentioned restrictions were:

Limit amount of money gambled:

"Have a ceiling on betting; limit the amount of money a person could lose; they should be limited on how much they can spend; not to spend their entire income on gambling; restrict people from over extending themselves; a big problem is with loans, people shouldn't be allowed to borrow money for gambling." (10%).

Welfare recipients should not gamble:

"Anyone on welfare shouldn't be allowed, using

Continued on next page)

Poll Respondents Approve

Type of Gambling	All Who . . . Approve %	Disapprove %	Total %	Number of * Interviews	Don't Know
Bingo	91	9	100	(1088)	1
Raffles	85	15	100	(1042)	5
Punch boards	60	40	100	(1032)	6
Pin Ball machines	57	43	100	(1058)	4
State lottery	57	43	100	(980)	11
Dog racing	49	51	100	(1003)	9
Poker clubs	48	52	100	(972)	12
Betting on sports events	44	56	100	(1056)	4
Slot machines	44	56	100	(1071)	3
Dice games	38	62	100	(1052)	5
Casino gambling	34	66	100	(1048)	5
Off-track betting	34	66	100	(966)	12
Jai lai	32	68	100	(537)	52

* Don't know excluded from percentage base.

government money; they would have to be off welfare and support themselves; don't want welfare people to use their money." (9%).

Keep control within state:

"I don't feel big corporations or existing large gambling organizations should be allowed in, it should be handled by state residents; wouldn't approve of these big syndicates coming in and taking over." (3%).

No drinking allowed:

'No liquor allowed; no drunken gambling, only sober gambling." (2%).

No one with a criminal record should gamble:

"No one who has committed a felony should be allowed to gamble; criminals should not be allowed to operate gambling places; anyone operating that is a known criminal should have his license revoked." (2%).

Gambling should not jeopardize families:

"Men with families should be restricted; should be a penalty if a person deprives their families; shouldn't interfere with family life—shouldn't jeopardize health and welfare of family." (1%).

Time limit:

"Curfew on gambling at 10 P.M.; hours—when they could do it, 2:00 A.M., like the bars; shouldn't be an all night thing, time limit on it." (1%).

Strict penalty for cheating:

"Anyone found cheating should be barred from taking part in it; should be stiff penalty if people don't live up to the laws." (1%).

EFFECTS OF GAMBLING

Although 55 per cent of the overall sample approved of some form of legalized gambling, only 48 per cent thought gambling would be good for the state.

Those who perceived positive benefits for the state most often mentioned economic benefits such as increased revenue (22%) a greater tourist industry (15%) lower taxes, (11%) and more jobs (7%).

On the negative side, forty-four per cent anticipated serious moral and social problems arising from gambling. Typical comments showed a fear of increased criminal activity, an influx of undesirable people and degeneration of the family as major concerns.

More than half the Montanans interviewed said that organized crime would be a serious threat if gambling were legalized and it could get out of control. That majority included 43 per cent of those who favored gambling. A third of the population said corruption in government would be an uncontrollable problem.

REASONS FOR FAVORING GAMBLING

Fifty-five per cent of Montanas' population approve of legalizing gambling although almost that many believe it will have a negative effect on the state and will cause an increase in organized crime and criminal activity. Why?

Two reasons are apparent. When asked what effect casino gambling might have on their own family. Three out of four said none. Only 18 per cent mentioned being personally affected by a gambling environment.

The second and overwhelming reason for favoring gambling is the anticipated revenue. High taxes was the more frequently mentioned problem currently facing the state. Half of the survey audience named high taxes as the top priority problem facing the state and 56% mentioned added revenue as the major reason for supporting gambling.

Three out of every four interviewed said gambling revenues should be used to reduce taxes.

GAMBLING POPULARITY

Opinion was evenly divided as to the popularity of commercial gambling. 54% speculated that gambling would enjoy long-term success while 41% saw immediate success followed by a popular decline.

The majority of those interviewed (67%) said a great deal or some gambling currently occurs in their community. More than half (52%) said they had visited a gambling casino.

Only six per cent said they favored gambling because they like to gamble.

A mail survey of public officials also conducted by the Gallup Organization showed that many (60%) believe gambling currently takes place. Opinion was evenly divided between those who favor legalizing gambling (47%) and those who disapprove.

Single copies of *Gambling* are available from the state planning agency office, 1336 Helena Avenue, Helena.

Board Provides Funds For Corrections Planning

Acting on the recommendations of an out-of-state consulting team, the Board of Crime Control awarded $17,275 to the Department of Institutions to fund a correctional planning committee. The grant was awarded at the Board's monthly meeting, December 13th and 14th in Helena.

The committee will develop a unified corrections plan for the state and present its recommendations to the 1975 legislative session. John Thomas, director of the Department of Institutions community correction services division will head the project until a permanent committee chairman is chosen.

The Board, in September, had accepted the recommendations of a correction consulting team who called for "establishment of an integrated department of corrections to provide a continuum of services for adult and juvenile offenders."

In other action, the Board declared a state crime laboratory as its first priority for federal discretionary funding. The Board's decision is contingent on the support of the legislature which must provide statutory authorization and matching funds. The Board chose supplementary correctional and rehabilitative programs at Montana State Prison as its alternate priority.

The Board's next scheduled meeting will be held January 31 and February 1 in Helena.

Derringer Disguised As Wallet Described in Seattle News

The Seattle Police Department's monthly newspaper recently described a potentially dangerous weapon disguised as a wallet and warned: "When he reaches for his wallet, you may get more than his license."

According to the department news item, a California company has been advertising a new "gun wallet." The weapon looks and feels like a wallet, but instead of cards and cash it carries a high-standard derringer that fires two .22 magnum or long slugs.

A finger hole provides access to the trigger and the user can reach for his wallet, then commence firing, the article stated. The News warned that although the weapon is advertised as being sold to law enforcement agencies, there is a danger that it will find its way into "unfriendly hands" and warns officers to be watchful for this type of disguised lethal weapon.

Another interesting possibility posed by the article is the effect such a weapon could have on current search and seizure laws.

Emergency Assistance Available From Montana National Guard

The Montana National Guard offers assistance to civil authorities in emergency circumstances through the Military Support to Civil Authorities section. Requests for assistance can be made by calling 449-3612. This phone line is monitored by an answering service during off-duty hours but your message will be relayed to a staff duty officer who will immediately return your call.

The assistance of the ARNG will be authorized only under the following circumstances:

- Civilian resources have been exhausted or are insufficient.
- The mission is within ARNG capability.
- Civil authorities direct and coordinate the mission.
- A medical officer or doctor is available to direct the transportation of injured persons.
- A coroner or other authorized official is present to direct the removal of the dead.

Requests for assistance should come from elected or appointed officials of civilian government including the county sheriff, chiefs of police, county commissioners or the Montana Highway Patrol.

Thank God For Policemen

While conducting a tour of the Beaumont, Texas Police Station recently with 30 kindergarten students in tow, Lieutenant Jack McCanne learned who his friends are.

McCanne, chief of the new CJC-funded police public-relations division, was pinning badges on each of the eager youngsters and putting in a plug for police-community cooperation.

The small metal badges are lettered, "policeman's helper." McCanne carefully sought to demonstrate to the children that each of them could be considered a friend and helper to law officers.

As he pinned the badge on the shirt of one thoughtful youngster, the officer asked: "Now do you know who the policeman depends on most of all for help?"

"God," replied the 5-year old.

Texas Criminal Justice Highlights
November, 1973

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Consultants Recommend Unification

A unified corrections administration, a full-time parole board and coordinated community services are needed to improve the state's correctional program according to an out-of-state consulting team.

The Board of Crime Control heard a verbal report from Consultants Roland E. McCauley, a Wisconsin corrections administrator, and Michael E. Madison, an Oregon-based corrections specialist, at the monthly meeting September 27-28.

The team's study, which included interviews with Montana judges, and probation and institution personnel was financed by the Board of Crime Control as an aid to planning for corrections spending.

"Montana's is not the best corrections system in the world but by far its not the worst." McCauley told the Board. But he went on to say, "Montana's system is so fragmented it's almost a non-system."

He proposed that all corrections—including juvenile services—be united under the administration of a separate division or agency headed by a qualified and tenured administrator. Personnel would be employed under a merit system and paid on a scale competitive to other states. "The single most glaring fault we found in the Montana system is the low morale," McCauley said in support of his proposal for tenure and competitive pay.

The second point in the generalized report called for a full-time parole board or alternatively, for one full-time member and two part-time members. McCauley pointed out that the workload of the Board is increasing and the current system of part-time Board activities is in jeopardy of breakdown.

The third proposal concerned streamlining case management techniques and administrative structure for more efficient delivery of services to probationers and parolees.

A written comprehensive report of the team's findings will be submitted to the Board later this year.

In other action the Board formally adopted the standards for recruitment and training promulgated by the Peace Officers Standards and Training (POST) Council and approved $80,804.50 in criminal justice improvement grants.

Among those grants awarded were a $50,000 grant to Montana State Prison for continuation of the staff in-service training program. The Montana Department of Livestock Brand Enforcement Division was awarded $29,525 for a cattle rustling prevention program.

Montanans favor legalizing some forms of gambling but fear wide open gambling will bring crime and moral degeneracy to the state, according to a Gallup Organization survey commissioned by the Board of Crime Control. The next issue of "Checkmate" will carry a full report on the results of the Gallup Survey.

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MONTANA BOARD OF CRIME CONTROL

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MLETS Reorganizes for Better Service

The teletypewriter is silent only a few seconds, then chatters again. "This is NCIC . . ."

These first words of response identifying the National Crime Information Center in Washington, D.C. are transmitted to lawmen thousands of times daily via the National Law Enforcement Teletype System (NLETS).

Montana's teletype system was installed just four years ago. It replaced a party-line telephone system in state law enforcement communications. Originally, the teletype system, funded by the Board of Crime Control, radiated from a relay terminal located in the Helena Board of Crime Control office. Messages from on-line agencies were received in the central terminal and manually resent to designated agencies. There were problems in reaching busy terminals and the manual resending of messages required many manpower hours. Still the teletype system was a great improvement in the efficiency of Montana law enforcement communications.

MLETS provided lawmen with quick access to other lawmen in the state and the nation and to NCIC—the FBI computer which stores records on wanted persons and property. Since teletype communications are "hard-copy", that is typed in transmission and reception—each agency had an exact copy of communications.

Recently the Montana Law Enforcement Teletype System was enlarged and combined with the state criminal identification bureau to improve service. New facilities and services are planned to make the teletype terminal the center for law enforcement communication and information.

The MLETS terminal moved to larger offices at 1437 Helena Avenue in March. Computerized switching equipment was installed and the criminal identification bureau, formerly housed at the prison in Deer Lodge was transferred. The combined agency is officially designated as the LETS/ID Bureau within the Investigation, Communication and Identification Division of the state Department of Justice. Robert Batch is acting head of the Bureau.

The new computer switching equipment eliminates the need for manual resending of messages, simultaneously reducing the manpower needs and improving the security of MLETS.

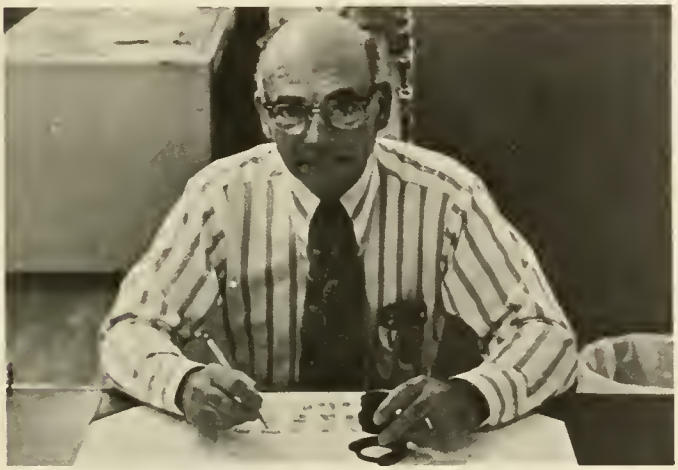
The computer has a memory. The transmitting agency designates the receiving agency and transmits the message. The computer in the Helena Terminal receives and resends the message. If the receiving teletype is busy the computer stores, or remembers, the message and resends it as soon as the teletype is clear. The central computer can also be programmed to send messages in priority order. On a busy day, routine messages such as weather

The Identification Office of the expanded LETS/ID Bureau is shown above. A portion of the LETS office is visible through the door at rear.

reports can be held up until all point bulletins and more important messages are transmitted.

The computer also can be programmed to send to all terminals or to lock out one or more. This versatility greatly reduces manpower needs in that weather reports or APB's can be sent to all agencies, or to a group of concerned agencies simultaneously, thus reducing time formerly needed to repeat the message for each terminal.

The lock-out capability also is important to MLETS security. Any terminal can be locked-out during the transmission of sensitive information. Other safeguards are built in. The computer automatically reports any attempt to tap the line or reprogram. Currently the computer is operating at about seven per cent of its capacity which assures its potential for future expansion.



Phillip Conover, Fingerprint Expert

ID BUREAU

The criminal identification bureau maintains records of arrests and dispositions and prison records dating back to territorial days. Philip W. Conover, a former FBI fingerprinting analyst, was recently employed to modernize the Department of Justice record-keeping system. Under his direction the ID records are being purged and refiled. Eventually the records will be microfilmed for easy reference and referral to Montana lawmen.

The security of the MLETS assures that information will be made available only to lawmen with a genuine interest in the data. Conover, who is a court certified fingerprinting expert will also instruct at the Law Enforcement Academy and will be available to all Montana lawmen to assist in developing and classifying latent fingerprints as crime scene evidence.

Future improvements planned to expand the services of the Bureau include installation of photographic processing and printing equipment. The photographic equipment will be available to all state lawmen for the rapid processing of crime scene photographs and other sensitive documents and records. The printing plant will make it possible for the communications center to print and distribute sensitive bulletins, descriptions of wanted persons and other confidential material.

In the past, lawmen have had to rely on prison inmates or commercial processors for this service. By incorporating this service within the LETS/ID Bureau a more rapid and more secure crime scene investigation can be insured.

Use of the MLETS is growing rapidly. From 36 users last year the network has expanded to 43 terminals currently on-line. Message volume has increased 25 per cent during that period.

As the communication service and information available through LETS continues to improve, use of the system also will expand. MLETS currently reaches into 31 counties with external terminals in Mammoth, Yellowstone; Sand Point, Idaho; Lovell, Wyoming; and Williston, North Dakota. In the near future, each of Montanas 56 counties should be on-line.

Changes in Federal Law Will Alter BBC Procedure

Local law enforcement agencies applying for Board of Crime Control administered funds will notice changes in the procedures of the Board of Crime Control attributable to changes in the Crime Control Act of 1973.

The act, which replaced the Omnibus Crime Control and Safe Streets Act of 1968, was signed by President Nixon August 6. The new act extends the life of the Law Enforcement Assistance Administration (LEAA) through fiscal 1976.

Major changes in the legislation include:

- **Changes in Match Requirements**

Soft, or "in-kind" matching funds will no longer be allowed for Board of Crime Control funded projects.

The new federal local matching ratio will be changed from 75/25 to 90/10 for 1974 funds.

The state buy-in-or share of funding provided by state government—for 1974 will equal 50 per cent of the NONFEDERAL funds, or five per cent of the total project cost.

- **Composition of Regional Planning Boards**

Local officials in elected executive or legislative positions must comprise the majority on regional planning councils. The minority may be composed of citizens from the community at large, working lawmen or criminal justice system personnel. The state planning staff is preparing recommendations on how the councils may shift membership to meet the new requirements.

- **Non-profit Organizations eligible for Discretionary and Action funds**

Non-profit organizations may apply for funds to institute crime prevention and control programs. Formerly, only units of state and local government were eligible for funding.

- **Increase in amounts to LEEP recipients**

The ceiling on LEEP funds was increased to $2,200 per year for full-time undergraduate or graduate students in the criminal justice field.

Scholarship support for tuition, books and fees was raised to $250 per academic quarter or $400 per semester for students enrolled in approved programs.

HELENA P. D. PRODUCES FILM

The Helena Police Department, through funding of the Board of Crime Control, has produced a series of 30 and 60 second television spot announcements aimed at home security and burglary prevention. The spots are available for use by any Montana law enforcement agency.

Produced by Montana Film Production, Associates, the five announcements are recorded on 16 mm color sound film.

Interested lawmen may contact Helena Police Chief, Jack Williams, or the Board of Crime Control office for further information.

ACADEMY GRADUATES 113

The Montana Law Enforcement Academy conducted six schools graduating 113 students during the third quarter of 1973.

Hon. E. Gardner Brownlee conducted a three-day school for Justices of the Peace and Police Judges, August 5-8. The 11 week session also featured a fire and arson investigation school.

Association Elects Officers

The Montana Corrections Association held its annual meeting September 26-28 in Miles City.

Gene Bond, adult parole officer from Bozeman was elected president, Jerry Johnson, Missoula, was elected first vice-president, Dan Russell, second vice-president and Dave Shank, Kalispell, secretary-treasurer.

Bullets, Hand-transceivers Are Dangerous Combination National Institute Warns

Bullets and hand carried transceivers can be an explosive combination according to a warning issued by the National Institute of Law Enforcement and Criminal Justice.

"Recently two police officers—one of Miami, Florida, the other in Seattle, Washington—put transceiver radios in the same pocket in which they were also carrying loose pistol ammunition. In both cases, one round of ammunition exploded in the officer's pocket," the bulletin reports.

"At the request of the FBI, the Law Enforcement Standards Laboratory investigated the incidents, to identify the cause and to attempt a laboratory duplication of the process. The Law Enforcement Standards Laboratory found that when loose ammunition makes contact with transceiver recharging studs, one of two things happen.

"If the cartridges are new and clean, there is a firm electrical contact. This will not detonate the primer, but it will ruin the radio battery.

"If the **cartridges are dirty,** a poor electrical contact is made. The poor contact causes rapid generation of heat and **detonates the bullet primer within five seconds.**

"Various design modifications of the transceivers are being studied but for the present, the Institute recommends the logical safeguards: **electric equipment (transceivers, batteries and the like) and cartridges should be carried and stored separately, so that no contact is possible."**

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Arrests Increase 8 Per Cent in 1973

Despite a decrease in felony arrests, the Bureau of Criminal Statistics has recorded an eight percent overall increase in arrests in the first half of 1973.

The additional arrests were largely alcohol related misdemeanor offenses. A total of 2,567 felony arrests were made in Montana in the first six months of 1973 compared to 2,584 in the first half of 1972.

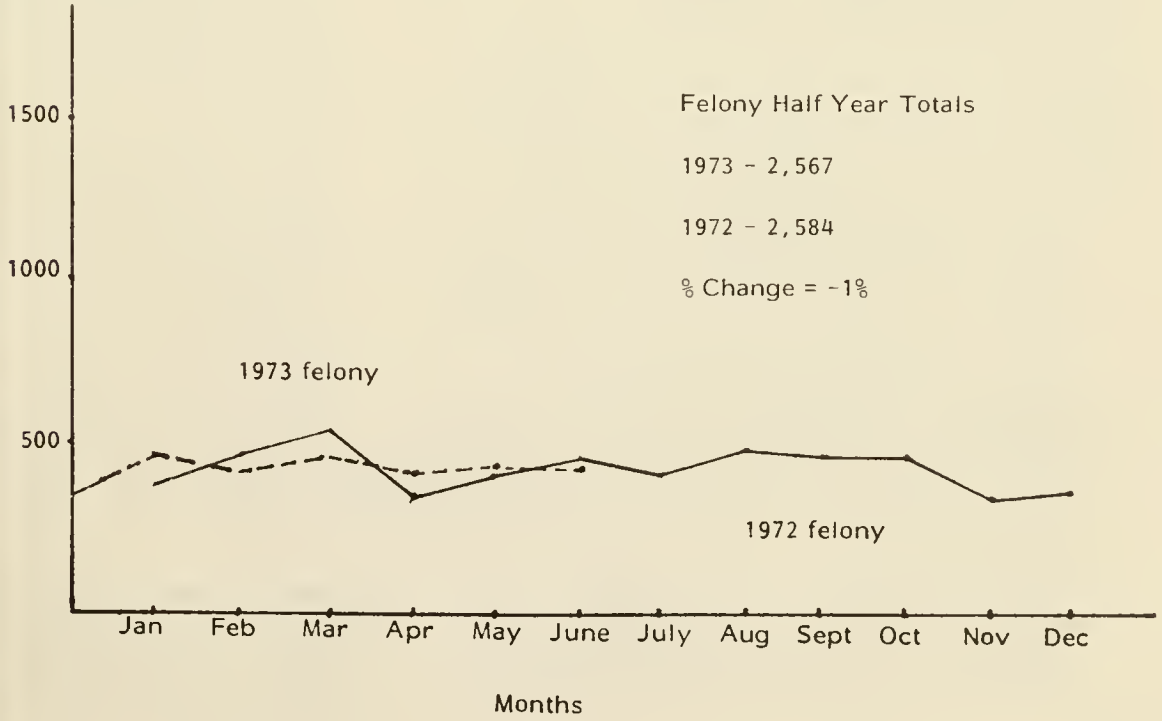
There were 34 arrests for rape this year as compared to 26 in the first half of 1972. Homicide arrests and felony drug arrests also increased in 1973. However, aggravated assault, armed robbery and other felony property crime arrests dropped for a total one per cent decrease in felony arrests.

Misdemeanor arrests for possession of alcohol and driving while intoxicated were up more than 30 per cent over the first half of 1972 when a total of 1,213 DWI arrests and 900 possession arrests were made. In 1973, 1,636 DWI arrests and 1,200 possession arrests were made before June 30th. The only significant decline in misdemeanor arrests was for disturbing the peace charges which dropped from 3,195 in the first half of 1972 to 660 this year.

Bill Erwin, BCS statistician, has projected that felony arrests for 1973 will be consistent with 1972 totals while misdemeanor arrests will be 9 to 12 per cent higher than last year.

The Bureau of Criminal Stastics data is based on the monthly arrest register returned from 56 sheriff's offices, 48 police departments, 6 tribal agencies and the U.S. Immigration Service. Arrest statistics have been compiled since 1971.

The Bureau is currently collecting data on offenses known to the police and will release that report in January, 1974.



MONTANA BOARD OF CRIME CONTROL

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BOARD SETS FUNDING POLICY AT EAST GLACIER MEETING

The Montana Board of Crime Control set new policy on the regional equipment awards, authorized a statewide public opinion survey and allocated $51,242.40 federal funds for criminal justice improvements during a two-day meeting July 26th and 27th in East Glacier.

The Board reexamined its policy of awarding small block grants to each of the five Regional Advisory Councils to purchase equipment for local law enforcement agencies. In the past two years the Council's have not awarded the full amount available, resulting in a surplus of funds which will revert to the federal government if not reallocated. The problem of expenditure will become increasingly difficult as local agencies approach an acceptable equipment inventory, Deputy Director Lavin said.

The Board agreed that a letter of commendation be sent to each Council approving their use of the funds. To prevent accounting problems, the Board decided to continue the block grants to each region but stipulate that unobligated funds revert to the state at the end of each year.

In other action, the Board authorized the staff to contract with the Gallup Poll organization to conduct a statewide public opinion poll concerning legalized gambling, drugs, alcohol use and pornography. The poll should be completed by November.

Among the grants approved by the Board was a $7,282.50 award to the State Planning Agency to assist in equipping law enforcement agencies in the implementation of a records system.

The Board's next meeting will be held September 27th and 28th in Helena. At that meeting the Board will consider the Peace Officers Standards and Training Council's recommendations for basic and advanced education curriculum.

P.O.S.T. Suggests Funding Restrictions

The Peace Officers Standards and Training Council has suggested placing restrictions on the funding of replacement officers to agencies who have a regular officer attending the Montana Law Enforcement Academy. The action was taken at the Council's meeting July 18th in Great Falls.

The Council approved the following restrictions:

1. Allocate each region $1,000.
2. Limit the use to only those agencies who have not sent any officers to MLEA in the last four (4) years.
3. Limit the allocation to only replace those officers attending the Basic Course.
4. The agency requesting the allocation should submit proof of financial hardship.
5. In those instances where financial hardship is not so severe, the allocation can be on a percentage basis of the total salary of the replacement.
6. The Board should reserve the right to shift the allocated funds from one region to another when the Board determines that the Region is not utilizing the funds so allocated.

The SPA is considering adopting these standards.

Federal Crime Act Renewed

Legislation extending the life of the Law Enforcement Assistance Administration through 1976 and authorizing $3.24 billion for the program in the next three years was signed by President Nixon in August.

The Crime Control Act of 1973 continues the program begun under the Omnibus Crime Control Act of 1968. That legislation expired June 30th. The Act was passed by Congress instead of the Administrations proposed revenue sharing plan.

Provisions of the Act may change the subgrant process and the matching requirements. The State Planning Agency will be analyzing the Act and completing guidelines to be issued in the near future.

Annual Fiscal Report Shows Federal Money Well Spent

Montana taxpayers are receiving a return of 97 cents on each 3 cents invested in the Montana Board of Crime Control, according to the agency's annual fiscal report.

The 62 page report, prepared by Fiscal Officer Margaret Crutcher, details the total revenues awarded to the Board of Crime Control and the expenditures of those funds.

In the past five years, the Board has received more than 9 million dollars for law enforcement improvement. Of that amount, approximately $.03 on the dollar is Montana tax money with the remaining $.97 coming from federal revenues. Other data in the report shows:

- Less than 14 per cent of the total budget is used in the planning function, the remainder is passed to working lawmen for specific programs, such as the Montana Law Enforcement Academy, Law Enforcement Teletype System and the Prison In-Service Training Program.
- Through subgrants awarded to local agencies, each planning region of the state has received a proportionate share of the funds available.
- In the past five years, the agencies budget has grown from slightly more than $100,000 in 1969 to more than $3.5 million in 1973.
- Less than one per cent of the federal funds allocated for Montana use have been unused and reverted back to LEAA.

A few copies of the complete fiscal report are available. Single copies may be obtained from the Board of Crime Control, 1336 Helena Avenue, Helena, Montana 59601.

Beers Appointed to Board

Thomas J. Beers, assistant state attorney general was named to the Board to fill the unexpired term of Lawrence Huss who has resigned from the attorney general's office to enter private practice.

Way Let Offers Parolees a Chance for Success

by: Dale McDonald, Summer Corrections Intern

When a prisoner is released or paroled from Montana State Prison, it is policy to give the man a walking suit and $25. During his imprisonment, he may have lost all family ties and close friends. His life has been guided by the structure and guidelines of an institution for months or even years.

Suddenly, he is confronted with freedom. He is expected to adjust to the complexities of the larger society. His only resources may be $25 in his pocket and the clothes on his back. The ex-felon is faced with a difficult task and he will probably fail. The recidivism rate for Montana in the early 1970's was 52%.

Way Let was designed and funded as a means to ease the ex-felon's readjustment to society and improve his chances of staying out of prison.

The Board of Crime Control and the Helena Model Cities Program worked out a financial arrangement which would allow for the renting of a facility to board and feed parolees. A director, two counselors and a cook were hired to take care of administrative, counseling and household duties. A citizens advisory committee was established to pull together various community resources which would facilitate the home.

Curt Chisolm (left) and Bill Barry Directors of Way Let

The Way Let House opened on March 20, 1972, in Helena, Montana. However, that first structure was soon found to be inadequate for the needs of the program and a new house was rented. It was hoped that a home like environment would facilitate adaption to non-institutional surroundings.

That new facility housed up to nine parolees and one live-in counselor. General house rules were established to provide a smooth and efficient system of order with minimal restrictions on the freedom of the occupants.

Frequent personal contact with the counselors is stressed. Counselors aid the parolee in finding employment, in learning about new opportunities open to him and in talking out personal problems arising in the transition from prison to society.

The Way Let program begins long before the ex-felon moves to his "home" in Helena. While an average of 23 prisoners are paroled from Montana State Prison per month, the Way Let program has had facilities for nine who stay for a few weeks or even months. Potential clients must be chosen. While still in prison, an offender who is about to be paroled must be recommended to the Way Let staff by the Board of Pardons. The counselors then set up a series of screening interviews to determine if the man will benefit from the program. If selected, the counselor and the inmate set up a plan to suit his needs and desires as far as school or job pursuits are concerned. Ultimately, the final decision to enter the program must be made by the felon.

When the inmate is released and enters the Way Let program, a number of opportunities are open to him. While at the house, he is provided with two meals a day and a bed. The program is also affiliated with 24 agencies whose resources are available to the client. Vocational rehabilitation services are available to provide training and education. Employment agencies have helped provide 85 percent of the residents with jobs. The staff contacts employers to speak on behalf of the ex-felon. Counselors promise transportation to and from the job and reassure the prospective employers that the residents are competent and dependable. The staff also advises the ex-felon on money management and living skills. Generally they try to aid the man in setting some direction and goals for his future.

Releasees are urged to make a three month committment to the Way Let program. But after settling into a job, he may feel ready to leave the house and is free to do so. Alternatively, he is permitted to stay at the house for an indefinite period of time—until he feels ready to leave.

Once the man has moved, Way Let counselors continue to aid him through an extensive follow-up program. Counselors are in frequent contact with the parolee for 10 weeks after he has moved and then intermittently for 9 more months. Once the man has left the house he is discouraged from moving back there. The program is designed to be a help rather than a crutch.

One of Way Let's prime objectives has been to reduce the recidivism rate. Overall statistics are not available after such a short time but only 8 percent of the 103 men who have participated in the program have had to be returned to prison.

Like all new programs, Way Let has had problems as well as successes. It has gained the confidence of the Helena community and other communities have expressed an interest in establishing similar facilities in their towns.

The program was recently refunded and expanded to allow for the hiring of one more counselor. In the near future, Way Let plans to move its residents into a hotel facility to allow for more privacy for its occupants. The new home will facilitate 15 people. In addition to 11 parolees, 3 prerelease felons will be given a chance to build a future for themselves before they are eligible for parole.

Many recidivists have returned to prison because they have had little attention and few opportunities. For most of the 103 men of the Way Let program, a little extra care and attention has made a lot of difference.

Moe Cited in National Newsletter

Missoula County Sheriff John C. Moe as director of the Region I drug detection team was the subject of an article published in the June issue of the LEAA Newsletter.

The article "Montana Drug Crackdown Team 358: Drug Pushers and Offenders 0" applauded the drug team which has been responsible for 358 arrests since June, 1971 and has not yet lost a District Court drug charge trial.

The team has received $32,000 from the Board of Crime Control plus support equipment.

Fort Belknap to Have New Center

A discretionary award of $150,000 for construction of an Adult rehabilitation and criminal justice center at Fort Belknap has been made by LEAA.

The new structure will be 5,500 square feet divided into three basic areas: law enforcement, courts and an isolated correctional area.

Bids for the construction contract will be advertised in the near future.

National Strategy Report Released

The National Commission on Criminal Justice Standards and Goals has released its summary report "A National Strategy to Reduce Crime."

The report outlines national goals and priorities adopted by the Commission at a meeting in Washington, D.C., in January. It also includes specific—and often controversial—proposals for modification of the entire criminal justice system.

Donald E. Santarelli, Administrator of the Law Enforcement Assistance Administration, has said the report will be used by LEAA in its efforts to reduce crime.

Single copies of the report are available without charge from the National Criminal Justice Reference Service, U.S. Department of Justice, LEAA, Washington, D.C. 20530.

In Court . . .

30 St. Rep. 681, _____ Mont _____, 506 P. 2d 850 in Re Petition of Alton M. Parker.

Without a meritorious reason, an indigent prisoner is not entitled to a transcript of his trial.

Alton Parker was convicted of armed robbery and assault and sentenced to a term in the State Prison. The district court of Missoula County held that Parker was not entitled to a transcript of his trial without showing some meritorious reason.

In affirming the district court's ruling, the Montana Supreme Court held "that denial of a transcript to an indigent prisoner, unless there has been some showing of need or meritorious reason, does not violate the petitioner's rights "to court access." **30 St. Rep. 681,683.**

Thus, the petitioner cannot obtain a transcript merely to search for errors, he must show specific prejudice, as was held in **U.S. v. Brown,** 443 F 2d, 659 (D.C. Cir. 1970). The Montana Court sees a contrary holding as placing an intolerable burden on the courts.

In **Lane v. Brown,** 372 U.S. 477, 83 S.Ct. 768, 9L.Ed. 2d 892, the U.S. Supreme Court held that an indigent defendant was entitled to a transcript of his hearing in order to prepare for an appeal. **Parker** seems to narrow the **Lane** holding, requiring a showing of specific prejudice before the indigent petitioner is entitled to a transcript.

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Vol. I, No. 4 AUG 13 1973 May-June, 1973

Board Hosts Corrections Conference

Participants in the first Montana Conference on Corrections emphasized the need to protect society from criminals and stressed custodial care of offenders as the primary consideration of the corrections system.

Twenty-three legislators, lawmen, corrections supervisors and judicial representatives attended the three day conference held in Helena, May 30 - June 1. Governor Thomas L. Judge had called the Conference to chart a coordinated future for the states' correctional system. The Board of Crime Control organized and financed the conference.

In the opening address, delivered by administrative aide Mike Fitzgerald, Governor Judge charged conference participants with responsibility for designing "a comprehensive state correctional philosophy." He asked participants to consider the roles of punishment, retribution and rehabilitation in that system and to determine whether the systems should be centralized or decentralized. He added that the findings of the conference would be presented to a larger statewide conference to be convened in the fall.

Participants met in workshop sessions, May 31st, to evaluate correctional goals and standards adopted by the National Commission on Criminal Justice Standards and Goals at the Washington, D.C. session in January.

In adopting those standards to fit the Montana penal system, participants modified many of the national goals to reflect their concern for the protection of society.

James G. Meeker of Washington, D.C., staff director of the Senate Judiciary Subcommittee on National Penitentiaries was keynote speaker for the conference. He said that the annual cost of crime-anticipated at more than $50 billion in 1973—should cause us to declare "the primary goal of our correctional systems to be the prevention of crime." Meeker advocated imprisonment with "useful labor" for most offenders. He said "our best hope today is that time will not be a detriment to a law abiding life."

Meeker also suggested "we develop real community supervision and diversion of all but dangerous and recidivistic offenders awaiting trial." He said "the first time the cell door slams shut behind a man, we have lost most of the chance we had to return him to society as a law-abiding citizen."

The Board of Crime Control is preparing a full report on the Conference findings, with release scheduled for August.

CONFERENCE PARTICIPANTS met in small groups to discuss corrections standards. (Right) James G. Meeker, staff director of the Senate Judiciary Subcommittee on National Penitentiaries was the keynote speaker.

MONTANA BOARD OF CRIME CONTROL

Brinton B. Markle
Executive Director

Kathe McGehee
Editor

Published at
1336 Helena Avenue
Helena, Montana

Discretionary Funds to Continue for Indian Programs

Two discretionary grants totalling more than $150,000 have been awarded by LEAA to continue Indian justice programs on Montana reservations according to Gil Baldwin, coordinator of Indian programs.

The New Careers Program received a second year $143,832 grant. New Careers is jointly sponsored by the Department of Labor, the Bureau of Indian Affairs and LEAA. The program provides training and employment for Community Service Officers on each of Montana's reservations and the Wind River Reservation in Wyoming. The trainees were recruited from educationally disadvantaged reservation residents. Following training, the officers are employed in a supportive role to the Indian justice system. The Bureau of Indian Affairs will subsidize the employment through a contract with the tribes.

The New Careers Program, at the end of the first year, has forty per cent of the original enrollees placed. Recruitment is currently underway to replace those trainees who have advanced into off-reservation employment. The New Careers Program will continue a third year as a subsidized employment program but LEAA will not share in that funding.

The second discretionary award of $15,882 was made to the Assiniboine-Sioux Tribe of Fort Peck to pay salary and travel expenses for two juvenile delinquency workers.

The project was originated last year to reduce the number of juvenile offenders reaching the tribal court. The program was so successful it is the tribes' top priority justice program for this year, Baldwin reported.

TRIBAL CHAIRMAN Joseph Red Thunder signs acceptance of a $15,882 grant to the Fort Peck Tribes. Gil Baldwin, Indian Coordinator, (left) is monitoring the Indian criminal justice programs.

In Court . . .

Michigan Inmate Alleges Dog Bite Worth $5 Million in Suit Against Arresting Sheriff and Deputies.

Dewey Combs, who is serving a 15-year prison term for breaking and entering has filed a 5 million dollar lawsuit against a former Michigan sheriff, three deputy sheriffs and a former deputy sheriff. Combs charged that the officers violated his civil rights and used brutal, cruel and unusual punishment during an arrest made on March 18, 1970. The plaintiff claimed that he was bitten by a police dog handled by former deputy Lawrence Straits when he was chased from a house that had been burglarized. Former Sheriff Douglas J. Harvey said Combs failed to stop when warned and the dog was freed to chase him. The arrest report of the incident contained no reference to a dog bite, but Combs alleged that he was treated at a hospital for the bite that he claimed he received after he had been captured, handcuffed, and held by other deputies.

Combs v. Harvey et al, U.S. Dist. Ct., (E.D. Mich., 1972) LR#427

AELE Legal Liability Reporter May, 1973

Security Rights Discussed At Youth Act Meetings

The issues of juvenile records security and basic civil rights for juveniles drew the most comment during a recent series of public meetings concerning the proposed Montana Youth Act.

The meetings were conducted by the Governor's Juvenile Justice Advisory Council to test public reaction to the proposed act which if adopted, will be the first revision of Montana juvenile law in 30 years.

The 11 meetings held across the state in May and June drew between 35 and 90 people each. Prior to the meetings the Council had distributed 6,000 drafts of the proposed legislation accompanied by an opinion questionnaire. Many of these questionnaires have been returned to the Council. They may be returned to the Board of Crime Control prior to September 1st.

The Council will revise the proposed act according to public sentiment expressed at the meetings and in the questionnaires and submit it to the legislature in January.

Currently, the Council is working with the Montana Association of Pediatricians in determining the rights of juveniles to medical treatment.

Further information about Council activities can be obtained from the Montana Board of Crime Control.

Steve Nelsen
Juvenile Adviser

OUR GUEST EDITORIAL

Sheriff Cade Has Got It Made

by: D. Edward Jones & James H. Olila
Reprinted from Justice Magazine, October, 1972

Once again the American public has been woefully deceived by the American mass media. In the long and healthy tradition of Dragnet, Adam-12, and Columbo in which urban law enforcement gets painted glamorous, dangerous, and above all, self satisfying to the officer involved, Cade's County misrepresents the truth about rural law enforcement. This program brings two barrels of abuse against rural law enforcement.

Not only is rural law enforcement depicted as glamorous, dangerous, and self satisfying; it is also depicted as a system of law enforcement not unlike its urban counterpart. What Sheriff Cade does for a living and what much of the uniformed American public thinks their own county sheriff does for a living is not only grossly inaccurate, it is downright misleading.

American mass media is making negative contributions to the cause of rural law enforcement and public support of that system. Suppose we attempt to remedy the situation. We will ask Sheriff Cade to take over a real county sheriff's department somewhere in the U.S.A. Sheriff Cade is in for a few surprises. If he expects to work a 40-hour week for an attractive, professional-level salary, he is sadly mistaken.

Rural law enforcement is expected to work long professional hours on a meager salary. Let's also hope that Sheriff Cade is not expecting a warm reception from individuals and departments of highly skilled law enforcement specialists. In rural America the sheriff and his handful of deputies are all generalists. They have neither the time nor the resources to be excellent at any specific job. Rather they must do all the jobs and must often sacrifice quality in the process.

We should protect Sheriff Cade against boredom by warning him that rural law enforcement will not be glamorous and exciting. For the most part, it will not even be very dangerous. There won't be many murders to investigate, nor will there be a deluge of sophisticated fugitives and criminals. About the closest thing to excitement that we can offer Sheriff Cade will be a high-speed chase down a perfectly straight and level county road after a traffic violator.

But all this is not to say that Sheriff Cade will not be dealing with some very difficult and taxing situations. In order to give our visiting sheriff an accurate orientation to rural law enforcement we should see to it that he experiences some of the more troublesome pecularities of the rural county sheriff's department. One of the first orders of business for Sheriff Cade has, in fact, nothing to do with law enforcement.

The county sheriff's department has for some time been in the business of door-to-door deliveries. The sheriff works for the court, for lawyers and for the state, delivering papers important to civil matters. I am sure that Sheriff Cade will be impressed by this service and the dedication that must go towards it when his deputy must make six calls at one household simply to serve a paper revoking an individual's drivers license.

It will be important for Sheriff Cade to meet the board of county commissioners. They are the gentlemen who handle the county's money. We should tell Sheriff Cade that law enforcement is not considered a particularly high priority item on the board's agenda. He should also know that unless he has friends on the board and/or an excellently-documented need, he is due for a long and perhaps even messy battle.

If Sheriff Cade knows anything at all, he should know about the Law Enforcement Assistance Administration. Their purpose is to provide financial assistance to law enforcement agencies. What Sheriff Cade probably doesn't know (but will soon find out) is that the Congress and LEAA are not very interested in his problem. In fact, the urban sheriffs, who do see some of that financial assistance, don't seem very interested in the problems of their country cousins either. Sheriff Cade is going to have to get used to table scraps.

It will be important to introduce Sheriff Cade to some of the other law enforcement agencies with which he will be working. He should count the municipalities and villages in his county and figure that, somewhere, there is a constable or village policeman or department for which he must be responsible. We had better tell him that he can expect some calls for assistance from these agencies.

He might wonder why they are there when he gets a call every time something of consequence happens. We can tell him that having a town constable is important to the status and image of the community. He will find out on his own that unnecessary duplication and layering of services serves only to complicate the delivery of services.

As a grand finale we had better let Sheriff Cade run for re-election. If he is lucky he will run unopposed but quite possibly he will be opposed by a wealthy farmer with many friends and absolutely no law enforcement experiences and know-how. Not wanting to see the county go without good service, Sheriff Cade should have an excellent time convincing the voting public that his department is good at the business of law enforcement, despite insufficient funds, insufficient training, and insufficient public support. Also, make sure that Sheriff Cade has saved money enough from his meager salary to support a campaign.

It would not take long for Sheriff Cade to realize that the job of the rural sheriff is not at all like it is portrayed on television. He should also realize very quickly that it is not at all like urban law enforcement either. What the American public knows about rural law enforcement is not the toil involved in apprehending a petty thief, the serving of civil process, the operation of a jail, the patrol of thousands of miles of county, state, and township roads and the management of a department of law enforcement officers, but the glory and excitement of a contrived circumstance that sells advertising.

If the truth about rural law enforcement is ever to come before the public eye, the "real" 'Cade's County must stand up.

Prison Staff Training Program Termed Best in Region

The eastern wall of Montana State Prison runs the length of Deer Lodge's main street. The antiquity of the massive walls and guard towers is emphasized by the neon gas and restaurant signs just across the street.

The 100 year old penitentiary is scheduled for abandonment upon completion of a $3.8 million facility soon to be constructed in the Deer Lodge valley.

Inside the old walls, the administration of Warden Roger Crist is already modern. It includes a staff training program which was termed "the best training program of its type in the region" by Floyd P. Gammell, regional correctional program officer.

The professional development program offers selected personnel 224 hours of intensive training in a seven month period. Courses include disturbance control, correctional tactics, emergency procedures and handling of special medical and psychiatric problems.

The success of the training program lies in the utilization of the team training concept. Four seven-man teams are detached from regular duty and assigned to professional development courses. Each team receives 32 hours of training per month for a seven month period. Time spent in the professional development course is considered assigned duty time.

DR. JANET WOLERSHIEM—University of Montana Psychology Department, shares a coffee break with members of professional development team No. 3.

The trainees function as a team especially in the areas of correctional counseling and crowd control. The ranking officer in each group acts as leader and assists the instructor when necessary. The team approach leads to a better understanding of work relations among employees, according to prison training officer Bill Abbott.

The team concept evolved as a solution to administrative problems encountered in former training sessions which were offered on a voluntary basis with time-and-a-half incentive pay. Under the former program new employees often appeared at advanced training sessions and scheduled duty shifts made it difficult for many employees to attend all assigned training sessions. Large classes presented special teaching problems.

With the team concept, however, many of these problems have been solved. The administration selects career-minded personnel who have shown a potential for advancement to participate in training, Abbott explained. He added that by making the training mandatory and scheduling sessions as regular duty, attendance is guaranteed and the need for incentive pay eliminated.

DR. JAMES PALSIN—University of Montana Speech Department, assisted by seven students of that department—conducts a session for professional development team No. 1 "Communications is not Words—Communications is People."

The small group atmosphere is favored by both students and instructors. Janet Wollersheim a clinical psychologist from the University of Montana who is an "outside" instructor for the program termed the small group interchange "invaluable."

"The instructor presents his area of expertise and the trainees present the variables of the local situation. Discussion can then focus upon how the concepts and principles might be adapted to the local "realities," she explained.

Trainees who have evaluated the program praise the team method. Don Deyott said, "I feel more serious minded and more interested within a small group. More business like."

"In a small setting you open up—a friendly atmosphere. Half of these men would not open up in a large group," Armorer Boyd Gutebier said.

The prison training staff shares the teaching duties with qualified instructors from the University of Montana. The training program is funded by a $45,000 grant from the Board of Crime Control.

Currently, the prison is negotiating with the University of Montana to grant five quarter credits for completion of the program. Whether this is accomplished or not, the program has had positive

results. Employee turn-over has been reduced by 40 per cent since the inception of the program and there has been a noticeable increase in staff efficiency.

Transportation Officer Henry Drussen summed up the opinion of many about the program. "The best step forward I have ever seen at the institution. I feel it will not only benefit me on my job, but also as a person in the community."

WARDEN ROGER CRIST (left), Montana State Prison, discussing Rights of the Confined with professional development team No. 4.

P.O.S.T Council Announces Meeting Date; Publishes Manual

The Peace Officers Standards and Training Advisory Council has issued a procedures manual. It contains the legislative acts, rules and regulations of the Board of Crime Control and procedures and guidelines of the P.O.S.T. Advisory Council pertaining to minimum standards. Also included in the manual will be a set of forms devised by the Council to assist law enforcement agencies in processing applicants. There are formats to be used to assist the Council in certification of peace officers, instructors and training schools.

The next meeting of the Council will be in Great Falls on July 18th. Under discussion will be the required curriculum for the Advanced Course.

The last meeting of the Council was held in Billings on June 13th. Dr. Eugene Weisner gave a presentation on the recruitment and selection process meeting Equal Employment Opportunity Commission regulations. Dr. Weisner suggested that law enforcement agencies keep accurate records and statistics on all applicants who enter the selection process to validate and substantiate the selection standards of the various agencies. The regulations and procedures of the P.O.S.T. program are non-discriminating as are those of most agencies.

Clayton Bain, P.O.S.T. Director

Bill Erwin, bachelor in residence of the Bureau of Criminal Statistics, married Donna Hulst, June 15, 1973 in Great Falls.

The Board of Crime Control wishes Mr. and Mrs. Erwin happiness in the coming years.

Recent Court Rulings

Brown v. United States
_____*vs.* _____, 36 *L.Ed* 2*d* 208, 93*S.Ct*_____

The recent case of **Brown** v. **United States** held that a defendant does not have standing to contest a search and seizure of a store owned by his co-defendant if (1) he was not on the premise at the time of the search and seizure; (2) he had no possessory interest in the premise and (3) he was not charged with an offense which required possession of the seized evidence at the time of the contested search and seizure.

Brown and another had been arrested for conspiracy to transport stolen goods in interstate commerce when police searched and seized goods "sold" by Brown to a co-defendant's store. The Supreme Court of the United States pointed out that the Fourth Amendment protection from unlawful search and seizure is a personal right and may not be vicariously asserted.

State vs. Lintz 30 *St Rep.* 442

Petitioner had plead guilty to possession of dangerous drugs. During presentence investigation petitioner implicated another person. Subsequently sentencing was deferred on condition that petitioner testify to the other persons involvement in court proceedings.

Petitioner failed to testify and the deferrment was revoked.

Court held that the district court judge did not abuse his discretion in revoking a deferred imposition of sentence for refusal to cooperate at the trial of another, even though the condition was not specifically set out in the written court judgment.

Court said: "It is not necessary that all conditions of probation be in writing, nor need they specifically be conditions of probation! All that is required is that the appellant must understand the conditions."

At his own presentence hearing, the appellant had implicated the other person. The judge deferred appellant's imposition of sentence but told him that he expected him to testify at the trial of the other person he had implicated. He further told him that if he did not testify, the court would revoke the deferred sentence. The appellant at that time stated that he understood this.

At the trial of the other person, the appellant generally refused to testify as he had at his own presentence hearing, and subsequently deferred imposition of sentence was revoked.

State vs Henrich 30 *St. Rep* 451

The petitioner found guilty of manslaughter in District Court was sentenced to 2 years in the penitentiary with one year suspended. In subsequent review the Sentence Review Division increased the sentence to 5 years imprisonment. The petitioner appealed the Division's ruling.

(Continued page 6, column 1)

Subgrants Awarded By Board of Crime Control

JANUARY-MAY, 1973

STATE AGENCIES
TOTAL—$400,333.32

Montana Law Enforcement Academy Continuation of M.L.E.A. through 6-30-73	$ 30,000.00
Department of Institutions Dictating system	1,800.00
Montana County Attorneys Assn. Prosecution seminar	4,537.00
Montana Supreme Court Research and analysis of needs of the judicial system	24,965.00
MSU-Electronics Research Lab. Communications user assistance	32,000.00
OFFICE OF ATTORNEY GENERAL Polygraph training	2,627.00
State Fire Marshal Arson investigation school	393.50
Montana State University Administrative assistance for student intern program	2,150.00
College of Great Falls Student intern-salaries	12,600.00
Dawson College Student interns—salaries	3,175.50
Montana State University Student interns—salaries	6,600.00
Pine Hills School Institute of child care	442.75
Pine Hills School Education and therapy for families	105.25
Montana State University Repeater Design—study and implementation	28,000.00
Department of Law Enforcement 4 mobile radios	1,989.00
Mountain View School 1 base, 6 mobile radios, 3 portables and installation	4,974.00
Pine Hills School 2 mobile radios	1,312.50
Criminal Identification Bureau Photo lab equipment	333.56
Montana Supreme Court Research and analysis of the judicial system	24,965.00
Montana State Prison Continuation of post secondary education for inmates	2,600.00
National Council of Juvenile Court Judges Training program	14,851.00
University of Montana Law student intern programs	49,189.50
Board of Crime Control Montana Corrections Conference	11,585.00
Communications Bureau Microwave Study	3,000.00
Department of Institutions Group homes	100,000.00
Montana Highway Patrol 50 mobile radios	29,062.50
U of M Security 5 portable radios	1,860.00
U of M Security Base radio system	1,462.50
Dawson College Correspondence course development	158.95
Dawson College Intern supervision	621.76
University of Montana Campus Security Police Recording devices, command-o-lert and TV surveillance system	2,122.05
Flathead Valley Community College LEEP Administrative Assistance	850.00

LOCAL AGENCIES
TOTAL—$328,100.56
REGION I

Missoula Co. Sheriff Region I anti-drug team	$ 9,760.00
Flathead Co. Sheriff Construction—model juvenile/female detention facility	65,000.00
Missoula Co. 4th Judicial District Continuation—foster care coordinator	5,421.00
Flathead County Base radio system	8,334.37
Mineral County 1 mobile radio	670.50
Flathead County 1 mobile radio	651.75
Lincoln Co. Sheriff Feasibility study—consolidation	1,500.00
Missoula Co. Sheriff Comand-o-lert, shotgun, recorder and roll bar	674.24
Stevensville Police Shotgun and holder lock for patrol car	84.37
Lake Co. Sheriff 20 protective helmets and batons and 4 protective shields	1,234.00
Missoula Police Department Polygraph school	1,623.53
Missoula County Communications equipment	358.50
Missoula County Mobile radio and portable	977.00
Mineral County Mobile radio	893.62
Missoula Co. Attorney Trial Tactics Seminar	316.22
Ravalli Co. Attorney Trial Tactics Seminar	324.30
Sanders Co. Sheriff Jail feasibility study	1,500.00
Flathead Co. Attorney LEEP Administrative Assistance	850.00
Flathead Co. Attorney Executive prosecutor school	655.24
Missoula Police Dept. Crime Prevention Institute	863.83
Missoula Co. Sheriff Salary for deputy	8,094.66
Philipsburg Police Mobile radio	577.50
Flathead Co. Justice of the Peace Court Lower court schooling	671.73

REGION II

Gallatin County 18th-Judicial District Salary, Deputy Juvenile Probation Officer	$ 3,804.00
Rocky Mountain Development Council Continuation of Helena Way-Let Project	9,645.00
Lewis & Clark Co. Sheriff Polygraph school—mileage and per diem	2,016.18
Butte Police 6 mobile radios	3,768.00
White Sulphur Springs 1 remote desk set	326.06
Silver Bow Co. Sheriff Evidence Kit, Narcotics Kit, Polaroid camera with flash & case	229.75
Anaconda Police Dept. Camera with mount, photo die cutter, laminator	671.15

(Continued on page 7)

Court Rulings —

The Supreme Court upheld the authority of the Sentence Review Board Division to increase a sentence over a Defendant's previously imposed sentence.

There was no showing that any of the defendant's constitutionally guaranteed rights had been violated.

Malando vs. Crist 30 *St. Rep.* 576

The Supreme Court ruled that the petitioner was entitled to credit for the time he had served in the county jail as a condition of probation.

In September of 1970, following a plea of guilty to second degree assault, the district court deferred imposition of sentence and placed petitioner on probation for three years. Subsequently this order was modified and the district court ordered that petitioner be confined in the county jail for 6 months on a work release program as a condition of the deferment of sentence. Later the deferred imposition of sentence was revoked and the petitioner was sentenced to the Montana State Prison.

The Court held that a person incarcerated on a bailable offense is entitled to credit for each day of incarceration prior to conviction. Thus, time served as a condition of deferrment of sentence must be credited against the subsequent imposition of that sentence.

We have made every effort to insure the accuracy of our mailing list but corrections are still coming in.

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Sheridan Police Dept.
Camera with adapter, case and flash 445.49
Silver Bow Co. Sheriff
Canine training 1,000.00
Lewis & Clark Co.
Salary Deputy Probation Officer 7,560.00
Jefferson Co.
4 mobile radios and accessories 2,915.25
Madison Co.
Mobile radio 607.06
Town of Ennis
Mobile radio 607.06
Lewis & Clark Co.
4 mobile radios 2,265.00
Deer Lodge Co.
Base communications improvement 17,063.75
Silver Bow Co.
Base radio-tower Building & Equipment 6,329.75
Butte Police Dept.
6 mobile radios 3,478.11
Gallatin County
Repeater System 18,207.50
Gallatin Co. Attorney
Trial Tactics Seminar 366.50
Beaverhead Co. Attorney
Trial Tactics Seminar 354.38
Lewis & Clark Co. Attorney
Trial Tactics Seminar 350.50
Jefferson Co. Attorney
Trial Tactics Seminar 353.25
Broadwater Co. Attorney
Trial Tactics Seminar 315.50
West Yellowstone
Jail security equipment 898.50
Belgrade Police
2 mobile and 1 portable radio 1,301.25
Lewis & Clark Co.
Electronic sound system for court room 2,638.07

REGION III

Havre Police Deot.
Institute for Police-Prosecutor relations ..... $ 453.50
Hill County Attorney
Institute for Police-Prosecutor relations 482.50
Cascade Co.—18th Judicial District
Juvenile probation officer 9,305.00
Fort Benton
Mobile radio 566.25
Sunburst
Mobile radio 585.00
Great Falls Police Department
Polygraph machine 1,530.00
Glacier County—9th Judicial District
T.V. equipment-camera, video-recorder & monitor 1,544.62
Hill Co. Sheriff
Talk-A-Phone system 583.81
Dutton
Emergency lights for patrol car 93.75
Judith Basin Co. Sheriff
Emergency lights, protective shield & shotgun holder 596.45
Havre Police Dept.
Attendance at First National Institute for Police Prosecutor Relations 478.50
Toole County—9th Judicial District
Salary and mileage for Deputy Probation Officer 9,436.00
Toole County
Remote radio control 111.00
Teton County
Mobile radio 566.25
Cascade County
3 mobile radios, 2 portables, 2 walkie talkies 4,716.18
Chinook Police
Mobile radio 547.50
Judith Basin Co.
Mobile radio 591.75
Cascade Co. Attorney
Trial Tactics Seminar 315.50
Toole County
Feasibility (Jail) Study 1,875.00
Belt
2 portable radios 1,106.25
Shelby Police
Portable radio 972.75
Toole County
3 portable radios 1,288.50

REGION IV

Billings Police Dept.
Polygraph school-travel and per diem ..... $ 1,991.50
Stillwater County
2 portomobile radios 1,500.00
Big Horn County
Master controller, 3 search locator kits, & installation 412.20
Big Horn County
3 mobile radios 1,772.50
Big Timber
Mobile radio 596.25
Billings Police
6 portable radios 3,601.68
Fergus County
Overhead projector, wall screen, blackboard easel 338.14
Billings Police Dept.
Polygraph 1,185.00
Park Co. Sheriff
3 shotguns & 4 riot gun holders 268.89
Billings Police Dept.
Attendance at National Explosive Ordnance Disposal Conference 339.36
Wheatland Co. Sheriff
Security training 112.50
Fergus Co.—10th Judicial District
Juvenile Officers Institute 1,487.48
Yellowstone Co. Probation
Juvenile Officers Institute 1,455.71
Billings Police Dept.
Recruiting Workshop 499.03
Crow Agency Police
Canine training 1,050.94
Yellowstone County
Juvenile Probation Officer salary 9,778.24
Fromberg Police
Mobile radio 592.50
Yellowstone Co. Attorney
Institute for Police-Prosecutor Relations 431.50
Yellowstone Co. Attorney
Trial Tactics Seminar 371.50
Wheatland Co. Attorney
Trial Tactics Seminar 382.70
Golden Valley Co. Attorney
Trial Tactics Seminar 360.16
Yellowstone County
Lower Court School 948.83
Wheatland County
Mobile radio 637.50

REGION V

Custer County
Jail construction ..... $ 23,475.00
Valley Co. Sheriff
BNDD Abuse school-travel and per diem 524.52
Fallon County
New base radio & remote control console 3,231.00
Custer County
Portable radio 650.95
Roosevelt Co. Sheriff
25 riot helmets & batons 150 hand cuffs (disposable) 679.54
Custer County
Jail remodeling 23,475.00
Wibaux Co. Sheriff
Fingerprint camera & accessories 258.75
Wibaux County
Base station 1,103.40
Scobey Police
Radio frequency adjustment 94.02
Roosevelt County
Lower Court School 902.00
Roosevelt Co. Sheriff
Architectural Jail study 4,410.00
Glendive Police Dept.
Polygraph School 2,095.20

At the Corrections Conference

John Thomas

Board Chairman Larry Elison

Barbara Bennets

The first Montana Institute of Juvenile Justice was held in Whitefish, June 10-13. The Institute was hosted by the Montana Judges Association through a Board of Crime Control grant.

The Institute's format was planned by the National Council of Juvenile Court Judges to involve personnel from all levels of juvenile justice in a learning situation.

Subjects discussed included Supreme Court decisions and juvenile justice, arrest and detention procedures, the police role in juvenile justice, the inherent powers of the court, community corrections programs, confidentiality of records and the discussion draft of the proposed Montana Youth Act.

Speakers and staff for the Institute included: Charles T. Holt, Reno, project director for the National Association; Honorable L. L. Sawyer, Medford, Oregon; circuit judge, Milt McAngus, Columbus, Ohio, Ohio Youth Commission; Honorable Frank Haswell, Associate Justice of the Montana Supreme Court; Honorable Robert S. Keller, Kalispell District Court Judge; and, Captain Mike Schafer, Billings Police Department juvenile officer.

Judge Robert Sykes of Judicial District #11 was especially helpful in insuring the success of the Institute.

The Arizona Supreme Court has ruled that courts cannot deny bail to a person charged with murder. "It is universally held that a 'capital offense' is an offense for which a sentence of death may be imposed," the Court reasoned.

"The U.S. Supreme Court has abolished the penalty . . . and has therefore abolished 'capital offenses' in Arizona." Arizona law states that only persons charged with capital offenses may be denied bail.

Foster boarding home care will be provided to children who are in danger of becoming delinquent by The Department of Social and Rehabilitative Services, according to an administrative memo from Joseph H. Roe, chief of the Department's Child Welfare Services Bureau.

Roe said that children who are placed in the Department's custody by the District Court because the child is judged to be in danger of becoming delinquent will be provided foster home care through the same process used for dependent and neglected children.

Delinquent behavior is as prevalent in children from middle class homes as in poorer households according to an Illinois study which also showed almost as many juvenile girls as boys admit to illegal activities.

The study, financed by the Illinois Law Enforcement Commission, disputes arrest statistics and common assumptions about delinquency. Findings based on questionaires returned by 3,100 14 to 18 year olds showed that girls reported a much higher rate of involvement in delinquent acts than juvenile court statistics indicate. The survey also showed that delinquency occurs as often among white, middle-class and rural adolescents as among poor and urban children.

Drinking was admitted by 57 per cent of the adolescents responding and petty theft by 56 per cent. Heroin use was reported by 3 per cent of the respondents.

Results of the study were reported in a May issue of the National Observer.

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Vol.1, No. 3 March-April, 1973

Board Adopts First Minimum Standards

1973

Eight recommendations of the Peace Officers Standards and Training (P.O.S.T.) Council were formally adopted by the Montana Board of Crime Control, March 29th. The standards, regulating the physical and mental fitness of peace officer recruits, will become effective July 1st.

The minimum standards — the first adopted by the Board under the recently passed POST law — require that each applicant for law enforcement duties be a U.S. citizen, more than 20 year of age;

- be of good moral character as determined by a thorough background investigation;
- a high school graduate or have successfully passed an equivalent examination;
- not have been convicted of a crime for which he could have been imprisoned in a state or federal pentientiary or convicted of any other crime of moral turpitude.

Additionally peace officer applicants must be fingerprinted for a search of all criminal records to be conducted by the hiring agency;

- pass a physical examination by a licensed physician and meet minimum physical standards determined by the Board of Crime Control and
- pass an oral interview by a representative of the hiring agency.

Clayton Bain, POST Director, said the Council will certify working lawmen for adherence to minimum standards and will financially assist all agencies in certifying and upgrading personnel to comply with standards set by the Council.

In other action at the March meeting, The Board prepared a final correction budget for submission to LEAA. That budget calls for $87,100 to be allocated to two community-based rehabilitation programs for adult and juvenile offenders and provides $30,500 for the establishment of a statewide volunteer system to recruit and train volunteers to work with the Board of Pardons and other state agencies in the rehabilitation of offenders.

Two task force policy decisions were approved by the Board at the April 26th-27th meeting.

The Education and Training Task Force recommended that grants for out-of-state training include actual board and room expenses rather than standard per diem when board and room are provided by the school or institute attended.

The Communications Task Force recommended that applications which include construction for communications equipment shelter be funded if shelter is necessary for the protection of equipment and has been included in the Electronic Research Laboratory's overall plan.

The next scheduled meeting will be May 31st in Helena.

P.O.S.T. Director Clayton Bain, Executive Board Director Brinton B. Markle and sponsoring Senator Frank Hazelbaker were present when Governor Thomas L. Judge signed the P.O.S.T. legislation.

MONTANA BOARD OF CRIME CONTROL

Brinton B. Markle
Executive Director

Kathe McGehee
Editor

Published at
1336 Helena Avenue
Helena, Montana

Youth Act Hearings Scheduled

Governor Thomas L. Judge received the first copy of the proposed Montana Youth Act from Associate Justice Frank I. Haswell, April 4th. The presentation marked the culmination of eight months of research and writing by the Governor's Juvenile Advisory Council and the beginning of a second phase of activity in which the Council will distribute 5,000 copies of the proposed legislation and hold public hearings to determine "grassroots reaction" to the Act.

The Council which is chaired by Justice Haswell, was called by the Governor, in August, to propose revisions which would bring current Montana juvenile law into compliance with Article 2 of the new Montana constitution and recent decisions of the U.S. Supreme Court.

At the heart of the matter is the concept of paternalism inherent in the 30 year old Montana codes. The U.S. Supreme Court has ruled that a juvenile is constitutionally guaranteed all the rights of an adult plus additional protection granted to minors. Current Montana law may not be specific enough to stand court challenge.

The proposed Montana Youth Act contains provisions which spell out specific procedural safeguards for youth who come to the attention of law enforcement officers and the juvenile courts.

Additionally, the Act would expand the jurisdiction of the juvenile court to include youth related matters such as custody hearings, child abuse cases and cases regarding mentally ill or retarded children. The Act would provide for the appointment of a "referee" by the juvenile court to hear and decide minor cases and set certain conditions under which juveniles accused of a major crime could be tried as an adult.

Qualifications for juvenile probation officers which would become effective July 1, 1975 are outlined in the Act as are the duties of probation officers. The proposed revision would free a probation officer from law enforcement, investigative and prosecutorial duties and require him to work solely on corrective treatment of juvenile offenders.

The Act also prescribes a personalized system of corrective care for juvenile offenders. Treatment within the family, or, alternatively, within foster or group homes is favored over committment to a juvenile institution.

The Act provides several alternative proposals relating to publicity and identification of juvenile offenders. Under the most stringent of these, no disclosure of juvenile records would be allowed and all records would be physically destroyed on the juvenile's 18th birthday.

The discussion draft of the Act was written to include alternative approaches to each of the several controversial areas of juvenile handling which would be covered by the Act. The alternatives will be discussed at public meetings scheduled to be held in May and June in Billings, Bozeman, Butte, Glasgow, Havre, Great Falls, Helena, Kalispell, Lewistown, and Miles City.

Following these meetings the council will prepare a final draft of the proposed Act containing the "grassroots" opinion of all concerned Montana organizations and citizens. The final draft will be presented to the 1974 session of the legislature for consideration.

The staff of the Board of Crime Control has been assisting the Council in preparing the Act. Copies of the Act and further information about the Council may be obtained from Steve Nelsen, juvenile advisor, at the SPA office.

SENATOR FRANK HAZELBAKER (right) was cited for outstanding service in the Legislature at the March Board meeting.

THE HONORABLE THOMAS L. JUDGE, GOVERNOR ADDRESS TO EXCHANGE CLUB LUNCHEON IN BOZEMAN, MARCH 26, 1973

The law is for the protection of the people. Peace officers stand between me and the anarchy of crime. And this is the most important and difficult responsibility in our society.

In Montana, we have a history of strong law enforcement dating back to the wild days of the frontier and the necessary justice of the vigilantes. In the past few years, however, the quality of law enforcement has been advanced remarkably in this state. Through programs such as The Law Enforcement Academy, the regional schools for peace officers and the Crime Control Commission, our police and sheriff's departments are developing the techniques necessary to deal with the complex problems of contemporary society. And it is the policy of my administration to provide the peace officers of Montana with every possible assistance..

I believe this session of the legislature has responded positively to the need to improve law enforcement by passing a number of significant measures.

I will sign a bill providing realistic salary increases for municipal and county employees, including police and sheriff officers. I believe a person with the responsibilities and the difficult and dangerous job of serving as a police officer should be adequately paid. And by increasing compensation within certain budgetary limitations we can assure that we will continue to have qualified men serving in law enforcement. I have signed three bills establishing qualifications for police and sheriff's officers and providing for a course of basic training. I believe this legislation will result in improved performance of law enforcement personnel all across the state.

We have enacted legislation to enable municipalities and counties to consolidate their police and sheriff's departments. And where implemented. consolidation could have the effect of improving law enforcement without the need for an increase in local taxes.

I have signed legislation to enable local government to provide liability insurance for police officers. And the legislature also passed a measure to allow counties to establish common jails to consolidate and reduce the expenditure of public funds for the incarceration of prisoners.

All of these laws are intended to improve the capabilities of Montana's law enforcement agencies. And I assure you today that my administration will continue to support the peace officers of this state by implementing the programs necessary to enable them to discharge their critical responsibility to enforce the law . . .

The Montana Board of Crime Control has made a positive contribution to improved law enforcement in this state since its inception.

I wish to take this occasion to announce that the federal government has approved $1.78-million in appropriations to continue the programs of the Board of Crime Control. These funds will allow us to implement the Peace Officers Standards and Training Programs beginning the first of July. This program will enable the Board of Crime Control to take educational programs into the field to provide training for officers who cannot attend the Law Enforcement Academy. It will establish minimum standards of training. And it will provide the training at the local level necessary to meet these standards.

The Board of Crime Control also provides funds for the Law Enforcement Academy, the statewide teletype system, and improved investigative procedures and equipment for police and sheriff's departments. **Federal officials have indicated that the program is one of the most effective in the Region.**

Assisting local officers is and will continue to be the first priority of the Board of Crime Control. And our objective is to upgrade law enforcement in Montana to standards of unquestionable excellence.

I commend the Exchange Clubs for honoring the outstanding peace officers of Montana and for calling attention to the dedication of the people who have assumed the responsibility for enforcing the law. Law enforcement is a very serious and difficult profession and I do not believe the police officers are always properly appreciated by the public. Men like those being honored by the Exchange Clubs are representative of the well-trained and highly capable officers who enforce the law in Montana. I commend these men for their personal record of service and achievement and all of the peace officers of Montana for the improvements that have been made in the enforcement of the law. Public support of police, sheriff and state and federal officers is essential if the law is to be properly enforced. And by demonstrating this support, as we are today, we tell the men behind the badge that we are behind them.

R.A.C. POLL COMPLETED

The results of a poll of Regional Advisory Council members were among the topics discussed at the Regional Advisory Council chairmen's meeting, April 20th, in Helena.

The state planning agency staff had previously mailed a questionnaire to council members to determine opinions towards council activities and duties.

The following table shows the responses to the RAC members questionnaire. Fifty-three members have responded to the survey. In some instances more than one answer was given for a particular question. Others did not answer each question.

PART I

A. How often does your regional council meet?

Times per year:

8 - 0	12 - 41
10 - 6	13 - 0
11 - 5	over 13 - 0

B. Are your regional council meetings held in different places throughout the region?

YES - 48 NO - 5

C. Estimate your attendance at RAC meetings.

100% - 4	66% - 1
90% - 30	50% - 1
75% - 14	33% - 2

(continued page 4)

Omnibus Bill in House

The U.S. Senate has sent to the House an amended version of the Omnibus Crime Control and Safe Streets Act which includes specific provisions to aid victims of crime and law enforcement officials and to require mandatory jail sentences for drug pushers and gun-carrying criminals.

The crime bill was passed by the Senate, April 3rd on a 94 to 1 vote with Montana Senator Lee Metcalf casting the one dissenting vote. Amendments to the Act would provide $50,000 for the survivors of lawmen killed in the line of duty; provide compensation of up to $50,000 for the victims of violent crime or their families; create a low-cost, federally subsidized life insurance plan for public safety officials and set mandatory jail sentences of from 5 to 30 years for various crimes involving the selling of drugs or the use of firearms.

The Act would extend the life of the Law Enforcement Assistance Agency whose legislative authority is scheduled to expire with the current Omnibus Act on July 30, 1973.

Shoplifting Seminars Held

The Small Business Administration in cooperation with the Montana Board of Crime Control, local businessmen and law enforcement agencies is sponsoring a series of workshops on shoplifting and burglary. Workshops in Kalispell, Glendive and Billings have been enthusiastically received.

The workshops include local and state speakers and viewing of two films on burglary and shoplifting.

If you would like to have a seminar in your area contact Bill Baer, Small Business Administration, Helena - 442-9040.

RAC POLL—

(continued from page 3)

D. Is attendance a problem encountered at your regular meetings?

YES - 8 NO - 45

E. What is the average length (in hours) of your meetings?

Hours	Hours
2 - 8	5 - 2
3 - 27	over 5 - 0
4 - 16	

PLANNING FUNCTIONS:

regionwide planning, 27; county or city planning, 11; establishing regionwide priorities, 36; establishing city/county priorities, 8; other, 5.

ACTION FUNCTIONS:

review subgrant requests, 49; discuss problems brought to light by subgrants, 42; assist localities in preparing subgrants, 31; other, 5.

C. Are your council's activities mainly directed toward:

Police - 52
Courts - 9
Corrections - 15

PART II

A. Do you feel that the functions, duties and activities of your council are worthwhile and purposeful?

YES - 52
NO - 1
OTHER - 1

B. Do you feel the functions, duties and responsibilities of your council should be changed?

YES - 29 NO - 21

If YES, how:

Increase function, duty and responsibility - 22
Have one or two annual meetings of the entire council for planning purposes with a 3-5 member executive committee to meet monthly for subgrant approval - 17
Other - 25

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Vol. 1, No. 2 February, 1973

Community System Favored by Board

The Montana Board of Crime Control reviewed applications requesting $567,689.00 and selected programs which will be eligible for an anticipated $190,000 in 1973 correction Part-E funds during the first meeting of the year, February 22-23, in Helena.

The meeting was the first for six new members recently appointed by Governor Tom Judge. For former and returning members, there was recognition of achievement. Each member received a citation from the Regional LEAA Office in Denver for outstanding service to the law enforcement improvement program.

Retiring member, Lewis and Clark County Sheriff Dave Middlemas, appeared at the first session of the meeting to accept two awards for outstanding service to law enforcement and to the Board of Crime Control. Larry Elison presented the awards on behalf of the Montana SPA and the Regional LEAA Office. Middlemas was a member of the original Montana supervisory board.

Among the $204,839.71 in grants awarded by the Board at the February meeting were two requests for jail construction. Custer County received $23,475 for construction of a consolidated facility which will house not only the sheriff's office and jail, but also the Miles City police. More than $120,000 is being provided from local funds and other sources for the construction.

Flathead County received a federal grant of $65,000 to construct a model detention center for juvenile and female offenders. The new facility will be built on the site of the present jail and long-range plans call for destruction of the present jail with a new facility for male prisoners to be built as an annex to the female and juvenile center.

Both grants were made from unexpended 1971 and 1972 corrections funds.

The Board earmarked $110,000 of the anticipated $190,000, 1973 Part E grant for community-based adult and juvenile rehabilitative projects. Several specific projects had been submitted for consideration; however, the Board voted to hold the major portion of the Part E appropriation available for projects aimed at establishing comprehensive and integrated system of community based rehabilitative projects rather than dividing the money among several isolated projects.

Of the remaining funds, $42,500 was set aside for improving the educational and counseling services offered to inmates of the Montana State Prison and the remaining funds were divided among several rehabilitative projects aimed at the juvenile offender.

In other action, the Board unanimously agreed to circulate a resolution urging Congress to renew the Omnibus Act or to provide special revenue sharing funds for continuation of the criminal justice system program.

The 43rd legislature has passed a similar joint resolution urging renewal of the Omnibus Act which expires June 30, 1973.

LEWIS AND CLARK COUNTY SHERIFF DAVE MIDDLEMAS received two awards for outstanding service to the Board of Crime Control and to the Law Enforcement Assistance Administration at the February meeting. Board chairman Larry Elison presented the awards on behalf of the Board and the regional LEAA office.

MONTANA BOARD OF CRIME CONTROL

Brinton B. Markle
Executive Director

Kathe McGehee
Editor

Published at
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Helena, Montana

Arrests Up 36.5 Per Cent

Arrests reported in Montana in 1972 increased by 36.5 per cent over 1971 totals according to the Annual Arrest Summary recently released by the Bureau of Criminal Statistics. However, Criminal Statistician Bill Erwin said the increase probably is due to more complete and accurate reporting by law enforcement agencies than to a sharp increase in criminal activity in the state.

He said the overall profile of arrests, charges and offenders remained significantly similar to the 1971 pattern despite a general increase in the number of arrests reported.

Data for the annual report was collected from 56 county sheriff's officers, 41 police departments and six tribal police agencies via the monthly arrest register. Agencies which had not reported for all 12 months of 1971 submitted complete reports for 1972, Erwin said. He said the reports were generally more accurate from all agencies.

FELONY ARRESTS

Felony arrests increased from 4,431 in 1971 to 5,088 in 1972. The greatest increases were for sex, weapon and drug-related offenses.

Drug arrests increased 45 per cent during 1972 —from 473 in 1971, to 688 last year. Part of the increase can be attributed to improved law enforcement, especially the work of undercover drug detection teams such as the Region 1 team supervised by Missoula Sheriff John Moe.

The profile of the felony offender remained constant in both years. In 1972, 78.4 per cent of those arrested on felony charges were 25 or younger and 90 per cent were male. These figures represent only a slight fluctuation from the 1971 figures of 66.9 per cent under 25 and 89 per cent male.

MISDEMEANOR ARRESTS

Misdemeanor arrests increased 40.6 per cent— from 23,059 in 1971, to 32,430 in 1972. Of persons arrested for misdemeanor charges, 53 per cent were 25 or younger and 82 per cent were male.

JACK LODELL *(right)* **newly appointed Region 2 field coordinator received some good advice from Region 5 Field Coordinator Ed Kilzer,** *(left)* **following the February Board meeting.**

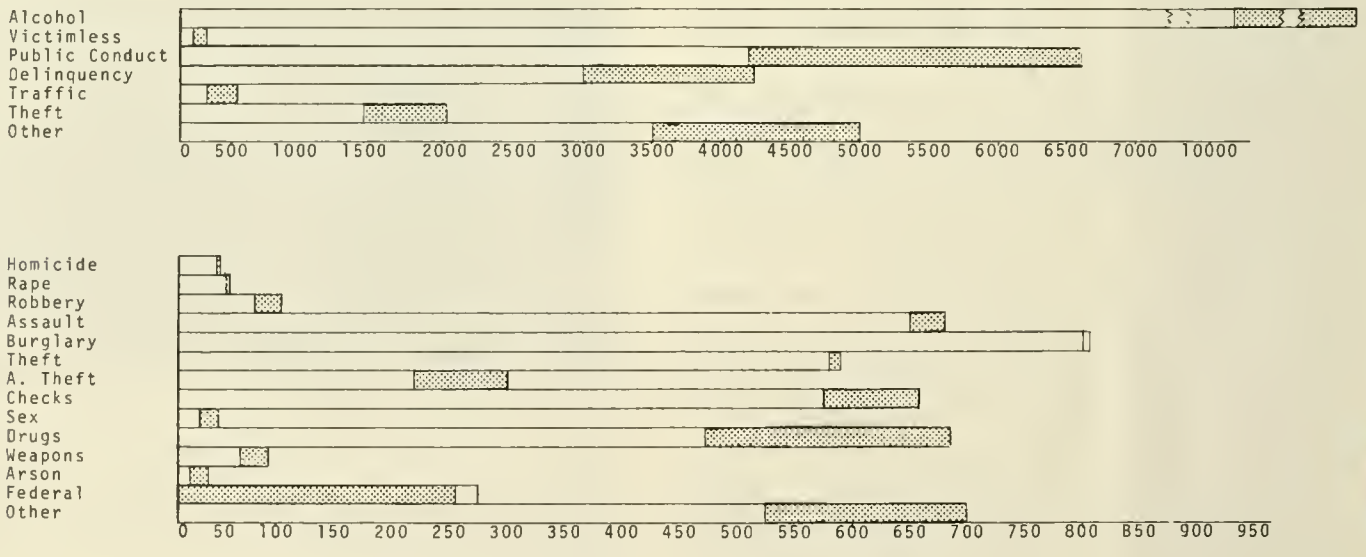
Lodell a native Anacondan, was district juvenile probation officer and chairman of the Region 2 Advisory Council before joining the state planning agency staff.

Lodell will have offices in the Anaconda courthouse and will assist law enforcement agencies in Region 2 in developing programs and applying for federal funds.

Arrests for illegal possession of alcohol decreased 15 per cent—probably a result of the lowered drinking age which became effective last year.

As in 1971, most arrests occurred on weekends. Friday between noon and 8 p.m. was the most common time for felony arrests with most misdemeanor arrests occuring Saturday between midnight and 4 a.m.

A summation of arrest data has been sent to each reporting law enforcement agency and copies of the Annual Arrest Summary are available to authorized persons on request to the Bureau of Criminal Statistics.



Montana Arrests - 1971 & 1972 increases (shaded)

Governor Signs POST Bills

Montana joined 38 other states who have adopted minimum standards for lawmen, February 27th, when Governor Tom Judge signed three bills authorizing the Board of Crime Control to develop standards for the recruitment, training and employment of lawmen as well as for police training academies.

The legislation, which was sponsored by Board member Senator Frank Hazelbaker and passed by the first session of the 43rd legislature, authorizes the Board of Crime Control to set standards of physical and mental fitness of applicants for law enforcement work, to establish minimum standards of equipment and procedure for the employment of lawmen and to set standards for police training schools operated in the state.

The legislation will effect all personnel employed to enforce the state's criminal, traffic and game laws. Standards set by the Board for law enforcement applicants will go into effect July 1st. Currently employed lawmen will be certified according to experience and education.

The POST Advisory Council presented eight minimum standards for law enforcement applicants to the Board at the February meeting. The standards, which the Board took under consideration deal with minimum requirements for age, mental and physical condition and moral character.

If adopted by the Board, the standards will be published and become effective July 1st.

The POST Council will meet March 14th, in Helena, to discuss methods of assisting law enforcement agencies in meeting the provisions of the minimum standards.

SIX NEW MEMBERS were recently appointed to the Board of Crime Control by Governor Tom Judge. With Chairman Larry Elison (standing, left) are Carbon County Attorney Art Ayers and Lincoln County Sheriff John Fisher. Seated (left to right) are: Helena Mayor Stephen Keim, District Parole Officer Leslie Smith, Helena, and Missoula County Commissioner Lud Browman. State representative John Hall, Great Falls, was not present.

"New Careers" Has BIA Funds

The Bureau of Indian Affairs reaffirmed its support of the "New Careers" Community Officers Project at a meeting in Billings, February 15th.

James Cooper of Washington, D.C. and Walt Willet represented the B.I.A. at a meeting with SPA Indian Coordinator Gil Baldwin, New Careers Director Stanley Spotted Wolfe and representatives of the eight Indian reservations involved in the New Careers Program.

Cooper said that the B.I.A. commitment would not be affected by the Nixon Administration's cuts in domestic spending and that the B.I.A. will pick up part of the tab for trainees salaries effective March 1st, 1973.

The New Careers Program has been jointly funded by the Law Enforcement Assistance Administration and the Department of Labor and was started to train and employ 50 Indians as Community Service Officers on eight reservations in Montana and Wyoming.

LEAA will continue to pay administrative costs of the program during the second year while the Department of Labor and the B.I.A. will jointly pay trainee salaries. Third year funds beginning March 1, 1974 will be provided in whole by the B.I.A.

Representatives of the B.I.A. have lauded the Montana and Wyoming New Careers project as one of the most successful of its type in the country. Cooper noted that 41 of the 50 trainees had continued the program into the second year, while other similar programs have had as high as a 40 per cent drop-out rate.

We have made every effort to insure the accuracy of our mailing list but corrections are still coming in.

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The Board of Crime Control will not release 1973 Action funds in program areas showing a balance of 1972 funds until those 1972 funds are exhausted.

Those programs which have balances available from 1972 fund are:

Field In-Service Training	14,000.00
Standards Council	5,000.00
College Administration Assistance	4,272.57
On-The-Job Training	1,691.00
Prevention of Crime	32,970.00
Alternatives to Incarceration—Juveniles	126,593.00
Training and Education—Juvenile	410.00
Juvenile Institutions	11,051.96
Equipment Assistance	59,877.37
Drug Seller Apprehension	2,354.70
Prosecution Assistance	11,805.05
Lower Courts	2,918.00
District Court Judges	5,175.50
District Court Manpower	30,000.00
Probation & Parole	10,000.00
Adult Corrections	6,689.39
Community Relations	968.13
Information Systems	31,498.98

Murderers are better parole risks than other types of offenders according to an LEAA-financed study by the National Council of Crime and Delinquency.

A five-year research program studying 6,903 paroled killers among 72,192 parollees concluded that approximately 9 per cent of other crime offenders were returned to prison during the first year of parole while the rate among paroled killers was 1.77 per cent.

The Council released the results of its study during a meeting in San Francisco in December.

Final Draft Slated for Approval

The Governor's Juvenile Justice Advisory Council will hammer out final changes in its proposed revision of Montana's juvenile code at a meeting March 6th in Helena.

The Council will then distribute the document to interested groups in the state and conduct a series of public hearings to gauge public reaction to the suggested revisions. Tentative plans are to present the revised codes to the legislature in 1974.

The Council was appointed by former Governor Forrest H. Anderson to propose legislation which would update Montanas' juvenile laws and bring them in line with recent rulings of the U.S. Supreme Court.

In past months, the Council has reviewed a draft of possible changes prepared by SPA Court Advisor Terry Wallace. At the last meeting, February 19th and 20th in Helena, council members suggested changes in four major areas: confidentially of law enforcement records; jurisdiction of adjudicated delinquents; processing of juveniles by the Department of Institutions, and the staffing of juvenile courts.

Council chairman, Justice Frank I. Haswell, appointed a special three-member committee including District Judge Robert S. Keller, Terry Wallace and himself to draft alternative legislative proposals in these areas for submission to the Council.

The Council has set July 1, 1973 as the deadline for public review of the proposed legislation.

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Board Revises Planning Format

A new approach to criminal justice planning and a revised format for the Comprehensive State Plan were adopted by the Board of Crime Control during two planning sessions held in Helena, October 25 - 26 and December 14 - 15.

The new planning approach is based on the adoption of seven broad program areas to replace the ten functional categories previously used. The category approach, suggested by LEAA and used by most states, identifies 10 goals under which resources should be evaluated and projects developed. Those categories such as "Reduction of Organized Crime" and "Prevention of Riots and Civil Disorders" are directed towards urban centers and do not include the major problems facing the rural states such as Montana.

The Board has replaced the categorical approach with seven broad program areas which identify the major needs of the Montana criminal justice system. They are:

MANPOWER—*Projects directed at increasing the effectiveness of Montana's criminal justice system.*

FACILITIES—*Projects to provide new facilities or improve existing ones.*

COMMUNICATIONS—*Projects to assist in securing communications equipment necessary to meet existing standards.*

EQUIPMENT—*Projects aimed towards developing and meeting minimum equipment standards in all criminal justice agencies.*

RESEARCH, DEVELOPMENT & TECHNOLOGY *Projects that will introduce Montana's criminal justice system to newer applications and techniques of science and technology.*

EDUCATION & TRAINING—*Projects to provide for continuing and improving the professional standards of criminal justice system personnel.*

SPECIAL IMPACT PROGRAMS—*Broad innovative projects that unify efforts to reduce crime in Montana.*

These programs replace the categories in the 1973 plan and will be used to evaluate all future projects considered for funding by the Board.

Projects to be funded in each new program category were identified by the Board during the October meeting. The goal statement adopted in June was used as a guideline in evaluating proposals. The Board's stated purpose is "to reduce crime in Montana by improving Montana's criminal and juvenile justice systems." This statement focuses the Board's funding on projects within the criminal justice system — after the point at which the offender first contacts the system — and eliminates the funding of preventive and rehabilitative programs not directly linked to the criminal justice system.

Budget allocations were made during the December meeting. The largest allocations were for Eduaction and Training programs. ($500,000) and Communications, ($517,000).

Other program allotments are: Manpower,

(Continued on page 2)

We're beginning the New Year with a new publication. Charley Bill Wolfe contributed the title — **Checkmate.**

On the chessboard, a checkmate occurs when you have maneuvered your opponent into a position from which he cannot escape without being captured. The dictionary defines the word as "to completely defeat; to arrest, thwart, or counter completely."

Our struggle against crime and criminals is not a game, but our goal is to checkmate crime.

That goal requires cooperation and communication.

Checkmate *will be published at least bi-monthly, more often if we have news of importance for you. Along with news about the Board of Crime Control and the state planning agency, we hope to report new projects, new ideas, court decisions and legislation affecting Montana's criminal justice system.*

Your news items are welcome and encouraged. If you know of an interesting project or have information for the rest of the criminal justice personnel in Montana, we will be glad to publish it.

—THE EDITORS

MONTANA BOARD OF CRIME CONTROL

Brinton B. Markle
Executive Director

Kathe McGehee
Editor

Published at
1336 Helena Avenue
Helena, Montana

NEW PLANNING — (Continued from page 1)

$175,000 for projects including the criminal justice student intern program, projects to provide additional manpower to law enforcement agencies, the Board of Pardons, the Division of Aftercare and one project to provide legal research for county attorneys.

• Research, Development and Technology, $118,000 for expansion of the Criminal Statistics Bureau, operation of the Juvenile Justice Advisory Council, a study of the Montana corrections system and improved record keeping and grant evaluation in the states.

• Equipment, $120,000 to provide $20,000 to each Regional Advisory Council and to the state planning agency staff to purchase equipment for local agencies.

• Facilities, $115,000 for improvements at MLEA and for one city/county law enforcement consolidation project.

• Special Impact Programs, $235,000 for innovative crime reduction programs.

The 1973 Comprehensive State Plan will be submitted to the regional LEAA office in Denver in January. Approval of the plan is expected by March. The Board of Crime Control anticipates a 1973 Action Budget of $1,780,000.

Brinton B. Markle, executive director of the Montana Board of Crime Control, was cited for outstanding leadership by the regional LEAA office, during the Board's two-day meeting December 14-15, in Helena.

Edwin LaPedis, Regional LEAA administrator, who announced the award, noted that Markle was the only one of the original 54 SPA directors still involved in the LEAA program.

Ray Rice (left), regional coordinator, presented Markle with a statue of justice inscribed: "Presented in recognition of your outstanding and continuing leadership of the law enforcement assistance administration program in the state of Montana."

Omnibus Act Draws Criticism As Renewal Date Approaches

While President Nixon in October signed into law an appropriations bill increasing LEAA's fiscal 1973 budget to $850 million — a 21.7 per cent increase over the last year, many observers and critics predict the Omnibus Act will be radically revised when it comes before Congress for renewal this year.

The $850 million budget approved by President Nixon will mean increased spending at every level of the LEAA program, including an allocation of $113 million for Part E-corrections, of which 50 per cent will be distributed to the States in the form of block grants.

Despite the support of the Nixon Administration shown by the increased 1973 budget, critics of the Omnibus Act and the LEAA program predict that Congress may rewrite or revise the Act when it expires on June 30, 1973.

Proposals for revision of the Omnibus Act include a recommendation for more stringent auditing of subgrants by the White House Office of Management and Budget; the founding of a national institute for justice to assume the research work assigned to LEAA which was proposed by U.S. Supreme Court Justice Warren E. Berger and termination of the entire grant program which has been proposed by a private legislative group calling themselves the Committee for Economic Development.

Severe criticism of the Omnibus Act subgrant system came in a recently released report by the lawyer's Committee for civil rights under law. The 1,000-page report concludes, "The general result of four years of federal spending in the anticrime area is that a host of criminal justice agencies have received budget supplements for traditional spending purposes and a few agencies have used the extra money to experiment with reforms."

Senators Mike Mansfield and Edward Kennedy have introduced a proposed amendment to the Omnibus Act which would provide up to $50,000 compensation to the victim of violent crime as well as compensation to "third-parties" who act to prevent or aid in the apprehension of criminals.

Another provision of the "victimization act" would create a federally subsidized group insurance program for public safety officers who find full coverage insurance too expensive. The federal subsidy would pay up to one-third the cost of insurance for public safety officers classified as high-risks for insurance.

Whatever the proposed changes, it seems certain the Omnibus Act and the LEAA program will receive increased attention as the expiration date draws nearer. The New York Times recently reported that the House Judiciary Committee can be expected to open hearings on the bill and that the legal and monetary affairs subcommittee of the House Government Operations Committee also will hold further hearings.

Council Readies Final Draft of Juvenile Code

The Governor's Advisory Council on Juvenile Justice will meet in Helena, January 15 - 16, to assemble a discussion draft of proposed changes to Montana's juvenile codes. The draft will be circulated among interested groups and a series of hearings will be held by the Council before proposed revisions are submitted to the Legislature.

The Advisory Council was formed by former Governor Forrest H. Anderson in August to study and evaluate the State's existing juvenile laws and justice system and "to make recommendations and draft proposed legislation to improve juvenile justice."

In the past four months, the Council, chaired by Associate Justice Frank I. Haswell of the Montana Supreme Court, has met with juvenile law experts from New Mexico and Colorado as well as with representatives of interested Montana organizations.

Harry O. Lawson, state court administrator of Colorado, and David Schmidt, director of the New Mexico Council of the National Council on Crime and Delinquency met with the Advisory Council, October 2 - 3, to explain recent juvenile legislative revisions in their respective states and too offer criticisms and suggested corrections for Montana.

Lawson pointed out at least 21 areas of the Montana code that need revision because they are too vague or are in violation of recent U.S. Supreme Court decisions.

Schmidt offered suggestions on gaining community cooperation and presenting the suggested revisions to the legislative assembly.

Also at the October meeting, the Council instructed Terry Wallace of the state planning agency, to prepare a working draft of the proposed revisions "bringing every portion of the code in line with requirements of the U.S. Constitution and to extract those portions of Colorado's and New Mexico's codes which council members felt should be included," Associate Justice Haswell said.

The working draft was discussed at an open meeting in the senate chambers in Helena, November 13 - 14. Widespread participation in discussion of the proposed revisions slowed proceedings and only 13 of 43 suggested revisions were reviewed during the two day session.

JUVENILE EXPERTS Dave Schmidt *(seated second from left)* Director of the New Mexico Council on Crime and Delinquency and Harry Lawson *(seated fourth from left)* Court Administrator for Colorado, conferred with the Juvenile Justice Advisory Council in October. The Council is chaired by Associate Justice Frank I. Haswell *(seated center)*.

Represented at the meeting were more than 10 Montana organizations including the Montana Education Association, the Girl Scouts, Anaconda Company, the Bureau of Indian Affairs and many religious groups.

The Council also met with the Montana Advisory Council on Children and Youth in Lewistown, December 1 - 3, to hear that groups suggestions for revisions of the juvenile code.

The final meeting of the Council for 1972 was held in Helena, December 11 - 12. An additional 17 sections of the proposed code were debated leaving the rest to be hammered out at the January meeting.

Following the December meeting, Associate Justice Haswell said that the work was progressing somewhat slower than expected and he doubted if the Council would be prepared to submit any legislation to the 1973 session.

He said the Council has yet to conclude debate on the new proposals, check the revisions against the existing code to eliminate the possibility of omissions, circulate the new proposal, hold hearings, revise, edit and submit the new proposal to the legislature.

Council members are: Honorable Frank Haswell, associate justice, Montana Supreme Court, Helena; Honorable Paul G. Hatfield, eighth judicial district judge, Great Falls; Honorable Robert Wilson, thirteenth judicial district judge, Billings; Frank Sennett, deputy director, Department of Social & Rehabilitative Services, Helena; Jeremiah Johnson, probation officer, Missoula; Harold F. Hanser, Yellowstone county attorney, Billings; John G. Thomas, director, Division of Aftercare, Department of Institutions, Helena; Doug Chase, Missoula Police Department; and Mrs. Frank Kampfe, Billings and Mike McLean, Missoula, citizen representatives.

The Montana Board of Crime Control is supplying the technical assistance of staff members Steve Nelsen, juvenile planner and Terry Wallace, court advisor, as well as travel and per diem for council meetings.

An article by Montana Law Enforcement Academy Director Charles R. Skillen is published in the December issue of the *FBI Bulletin*, a national publication of the Federal Bureau of Investigation distributed to all law enforcement agencies in the nation.

The article "Versatile Instruction" describes the facilities and curriculum of the academy and stresses the innovative techniques used at the academy to instruct Montana lawmen. A large part of the three page article is devoted to explaining the use of video tape equipment in firearm instruction and in taping classes for field training sessions.

Skillen has been the director of the academy for the past two years. He is a former Montana highway patrolman and a graduate of the Northwestern Traffic Institute in Chicago, Illinois.

Canine Academy Provides Local Training, Assistance

A six year old Michigan boy was lost on the mountain near Red Lodge. He had wandered away from his family's camp the previous afternoon. When helicopters and more than 90 volunteers combing the area on foot and horseback throughout the night failed to spot the child, Carbon County Sheriff James Eichler summoned the Cascade County Canine Corps.

Sergeant Blitz, Igor and their handlers, Deputies Keith Wolverton, Les Bobier and Jerry Obresley were flown to the area. Within a few hours, the team located the tired and chilled boy—at an elevation of 9,200 feet.

That rescue in July, 1968 was the first out-of-county assignment for the dogs and handlers of the Cascade County Sheriff's Department. In the past four years, more dogs have been trained; more assignments completed and, finally, in answer to the growing demand for the services of trained police dogs, an Academy for police service dogs has been established by the Cascade County Sheriff's Office through assistance of the Board of Crime Control.

The dedication of the Montana Police Service Dog Academy at Belt on September 13th, marked the culmination of a decade of planning by Cascade County Sheriff John Krusl.

Sheriff Krusl had seen dogs perform at an FBI school he attended in 1961. He was impressed with their ability to augment the services of a small law enforcement agency.

Sometime later, Krusl purchased Sergeant Blitz and assigned Deputy Keith Wolverton as his handler. Wolverton and his dog attended a 15-week training course at the Baltimore Police Department in 1967. The following year, Deputy Bobier and a second dog attended a 14-week training course at the Royal Canadian Mounted Police School at Innisfail, Alberta.

Sheriff Krusl realized that the expense of sending men to these schools for the extended periods needed to train the dogs would prohibit many small law enforcement agencies from having the services of trained police dogs. He began planning for a training center to be centrally located in Montana and available to men from all law enforcement agencies in this and the other Western states.

The Montana Board of Crime Control granted $46,490 for the project and construction of the facility was begun in August, 1971. Considerable local support was given to the project. Deputies Wolverton and Bobier cleared the land for the training site and $66,500 local money was raised.

The Montana Police Service Dog Academy is located about 30 miles from Great Falls on Belt Creek near the Armington junction of U.S. 89. The site is centrally located and the accessibility of water and rocky terrain is ideal for training the dogs in search and tracking procedures.

The Academy is a one-story redwood structure with kennels and living facilities to house 12 trainers and dogs. Deputies Wolverton and Bobier teach the 14-week course which consists of training for obedience; tracking; building, small item and wide-area searches; crowd control; drug and narcotic detection; and search and detection of explosives.

SHERIFF JOHN KRUSL (left), Royal Canadian Mounted Police Staff Sergeant Terry Kehoe and RCMP Assistant Commander V. M. Seppela were among the speakers at the dedication of the Montana Police Service Dog Academy.

The curriculum is continuous so a handler can enroll at any time and receive the full 14-week course. Refresher courses will be taught as they become necessary.

The cost for the 14-week course is $1,000 including board and room for the handler. The handler must supply his own dog—a male German Sheperd between the ages of 9 and 14 months. A veterinarian's certification that the dog has been inoculated and is free of hip displasia (a crippling defect often found in German Shepherds) is required. The Academy training is open to lawmen from Montana and adjoining states.

More than 150 people attended the dedication ceremony which was held in conjunction with the 20th annual International Law Enforcement Coordination Conference. The Reverend E. Warren Pardun, Montclair United Methodist Church of Belt gave the invocation and Cascade County Commissioner Ed Shubat acted as master of ceremonies. Speakers included: Robert Evans, special agent in charge of the Montana-Idaho Division of the FBI; Staff Sergeant Terry Kehoe of the Royal Canadian Mounted Police,Corporal Dave McClean also of the RCMP and Sheriff Krusl and Deputies Wolverton and Bobier. Volunteer Institutional Chaplain, the Reverend Jack Albanese, gave the benediction.

The first class has not graduated from the new facility, but several police service dogs trained by Deputies Wolverton and Bobier are at work in the region.

Using the crowded facilities of the Sheriff's Office — and working around frequent interruptions

— the deputies have trained more than 20 dogs.. Their former "students" are already at work in Yellowstone, Lewis and Clark, Carbon, Valley, Hill and Gallatin counties as well as at the Montana State Prison and in Minnesota, Wyoming and Washington.

The dogs have already totaled an impressive list of accomplishments such as locating within an hour, a body which had been buried under three feet of snow for six days; locating the murder weapon in a Cascade County murder case and a shell casing needed for evidence in another case and leading searchers to the body of a man killed by an explosion and buried under a slide at a road construction site. Following the floods in Rapid City, S.D. in June, the Montana dogs recovered 22 bodies of drowning victims.

In connection with the services of the Dog Academy, Deputy Obresley, who is a specialist in the field of narcotics and dangerous drugs, will conduct classes in that field for the handlers. Obresley is an instructor at the Montana Law Enforcement Academy and has conducted narcotics education programs for three years.

Obresley, Wolverton and Bobier have traveled the state presenting a very effective anti-drug program to school children, civic groups and all interested audiences. The use of the dogs serves to dramatize the lecture. After a presentation in the Kalispell area James Willis of the Kiwanis Club wrote Sheriff Krusl, "your representatives did a fine job, not only with the narcotics program itself, but in public relations work for your law enforcement agency and law enforcement agencies in general . . ."

DEPUTY SHERIFF KEITH WOLVERTON demonstrated the skills of the dogs he has trained during the dedication ceremonies.

Liberty County Sheriff Robert Remington, following the assistance of Cascade County dogs in a successful search in his jurisdiction summed up for many when he wrote: "It is performances like this one that will greatly increase the public's favorable acceptance of the German Shepherd dogs as a necessity to law enforcement work. It is my sincere hope that in years to come, all Sheriff's Departments in the state will have dogs to assist in the work of law enforcement."

Bureau Prepares Offense Form

The Bureau of Criminal Statistics will collect data on offenses known to the police as well as on arrests in 1973. A new form similar to the FBI Uniform Crime Report return has been prepared and distributed to all Montana law enforcement agencies.

The form provides space for recording the classification of reported offenses, separating actual and unfounded complaints and for reporting offenses cleared by arrest and by arrest of juveniles. A revised instruction manual also has been prepared and distributed.

Data collected on known offenses will be tabulated on state, county and city levels. The information should be useful to local agencies as well as in statewide criminal justice system planning.

First quarter reports should be available in April.

P.O.S.T. Council Begins Task Of Setting Minimum Standards

The Peace Officers Standards and Training Council met in Helena, December 8, to review standards programs set by other states. The discussion was a prelude to the task of setting standards for the employment of Montana lawmen which the Council began at its meeting January 10.

The POST Council was activated by the Montana Board of Crime Control in August. The Board accepted the recommendations of a standards task force that a permanent advisory council be named and that funding be withheld from agencies and departments who failed to meet standards set by that Council within a reasonable period of time.

The Governor, in September, appointed council members with the concurrence of the Board. The council held two meetings to set qualifications for the executive director and to interview applicants. Clayton Bain, former Great Falls chief of police, was selected from more than 14 applicants.

A subsequent meeting November 15, was devoted to establishing rules of operation and budgeting $33,000 awarded by the Board for operation of the council from November 1, 1972 to June 30, 1973.

Members of the POST Council are: Ken Cunningham, Sheriff, Silver Bow County, Butte; Buzz Davis, Undersheriff, Beaverhead County, Dillon; Jere Wamsley, Billings Police Department; Capt. Robert Griffith, State Highway Patrol, Helena; Charles R. Skillen, Director, Montana Law Enforcement Academy, Bozeman; Father Thomas O'Donnell, Carroll College, Helena; Ray Stoner, County Commissioner, Sheridan County, Outlook; John West, Mayor, Hamilton; Bob Harvie, Montana State University, Bozeman; Orville W. Lewis, Montana Fish and Game Department, Helena; and Ted Waggener, Chief of Police, Kalispell.

AWARDS — August-December, 1972

REGION I

Lake County
2 recorders, 6 cassettes — 166.80

Kalispell P. D.
3 pocket recorders, 1 portable recorder w/conference mike, cassettes, & transcriber — 987.32

Stevensville P. D.
Crime & drug kits — 63.75

Missoula County
In-state training-JD schooling in Great Falls — 142.50

Flathead County
In-State traing-JD schooling in Great Falls — 229.50

Ravalli County Sheriff
Siren, PA system, top-lite, & recording equipment — 940.38

Missoula P. D.
Out-of-State schooling-BNDD, Seattle, Wash. — 393.00

Flathead County
Jail improvement-Architectural study — 1,500.00

Ravalli County Sheriff
Equipment — 712.50

Missoula County Attorney
Out-of-State schooling-Prosecution & Defense of Drug Cases; travel per diem & tuition — 376.71

Missoula County Sheriff
Grant to send Deputy to a four week seminar in security and crime prevention at the University of Louisville, Ky., January 8 - February 2, 1973 — 979.99

Kalispell P. D.
One deputy to attend a 68 day training session at the Delinquency Control Institute, University of Southern California, Los Angeles, January 8 - March 16, 1973 — 1,762.00

$8,254.45

REGION II

White Sulphur Springs
Beacon light for City Patrol Car — 68.35

Gallatin County Sheriff
Polaroid camera & accessories — 299.86

Glacier County
Intensive Group Counselling Program — 2,259.00

Gallatin County Sheriff
Intercom system for Gallatin County jail — 319.76

Deer Lodge County Sheriff
Jail Renovation — 1,875.00

Lewis & Clark County Sheriff
Jail Renovation — 15,750.00

Board of Pardons
Adult female parole & probation officers — 9,706.00

Troy P. D.
1 emergency warning light — 109.50

Bozeman P. D.
Siren, PA & lights for City Police car — 376.01

Flathead County Community College
College Administration Assistance — 2,000.00

City of Helena
Phase II - Burglar Prevention — 6,243.75

Flathead County
Volunteer Foster Home Coordinator & Deputy Probation Officer Internship Program — 9,070.00

Department of Health
Alcohol & Drug Abuse Program — 100,000.00

Governor's Crime Control Commission
Continuation of Gunsmoke Gazette — 24,031.87

Lincoln County Sheriff
4 pocket recorders, 12 mini cassettes, 1 recorder w/mike — 521.10

St. Ignatius P. D.
Command-o-lert safety warning system & silent patrolman — 510.00

Missoula County Sheriff
Command-o-lert siren/PA System lights, field kit, number restoring kit, projector, screen — 1,846.39

Division of Aftercare
"COMPANIONS" — 3,431.00

Montana State Prison
Executive Staff Development - Regional Seminar on Adult Basic Education in Corrections — 522.02

University of Montana
Law School Research Continuation — 2,826.75

Butte P. D.
2 Deskon remote controls — 345.00

Powell County Attorney
Attendance National College of District Attorney's Seminar, Williamsburg, VA — 468.20

Big Horn County Sheriff
2 light bars & lights, 2 riot gun holders, 1 analysis kitt, & 2 protective screens — 413.55

Siver Bow County Sheriff
Camera with night range finder & accessories — 225.00

Anaconda P. D.
Light bar w/speaker & accessories — 348.75

Libby P. D.
3 battery operated cassette recorders & 6 tape cassettes — 354.30

Columbia Falls P. D.
2 battery operated cassette recorders & 6 tape cassettes — 166.80

Granite County Sheriff
2 battery operated cassette recorders, 4 tape cassettes — 106.95

Toole County Sheriff
Tear gas emergency kit — 222.00

Fort Benton P. D.
Strobe warning light, polaroid camera, latent pocket kit & evidence kit — 246.93

Hill County Sheriff
Remote control with mike — 168.75

Dawson County Sheriff
Light rack & siren/PA combination — 365.40

McCone County Sheriff
Siren/PA combination — 180.33

Glendive P. D.
Camera housing (for TV monitors) & cables — 121.86

Roosevelt County Sheriff
Mugg camera — 628.87

College of Great Falls
8 student interns - $50 a week salary & program supervision — 4,800.00

Montana County Attorney's Association
Prosecutors Regional Training Seminar — 8,900.00

Missoula P. D.
6 battery operated cassette recorders, 15 tape cassettes — 604.49

Silver Bow County
2 recorders w/battery packs — 260.90

$200,694.44

REGION III

Choteau P. D.
Electronic siren & PA system, emergency light & riot gun — 279.00

Choteau County Sheriff
4 riot guns & gun racks — 216.15

Toole County Sheriff
Movie projector, screen & stand — 621.44

Great Falls P. D.
Keeler Polygraph Institute Training, Chicago — 1,791.00

Pondera County Sheriff
Canine training - 14 weeks school - mileage & school costs — 1,019.80

Great Falls P. D.
Jail feasibility and architectural study — 3,000.00

Cascade County Sheriff
Jail remodeling & renovation — 38,392.00

Glacier County
Intensive Group Counseling Program — 2,259.00

City of Havre
Funds for training and equipping the Region III multi-county investigative team — 21,465.00

AWARDS — (Continued)

Fort Benton Police
Helmets, measuring wheel, car desk, and riot gun holder 110.72

$69,154.11

REGION IV

Fergus County Sheriff
Riot Control gas masks smoke generator 461.47

Yellowstone County Sheriff
13 power call sirens w/speakers 2,744.62

Lewistown P. D.
Tape recorder & transcriber 675.00

Livingston P. D.
Electronic flash strob light & fingerprinting kit 229.76

Laurel P. D.
Jail Renovation 359.95

Treasure County Sheriff
New construction 14,062.50

Crow Tribe of Indians
University extension course for three reservation (Crow) law and order personnel 624.00

Billings Police Department
Salaries and travel for drug investigations in Region IV 8,370.00

Yellowstone County Sheriff
3 bunks to handle prisoner overload and 18 screens for windows to prevent contraband being smuggled to prisoners 937.50

Yellowstone County Sheriff
Video tape camera and monitor for security of courthouse entrance to county jail 397.50

Stillwater County Sheriff
Siren/PA system combination, 2 speakers for cars 360.68

Yellowstone County Attorney
Remote micro phone input, transcribers, remote input stations 2,999.50

Bridger Police
Light bar and lights, PA/siren with mike and speaker, protective screen 358.88

Yellowstone County Sheriff
Two transcriber-recorders 224.90

Roundup P. D.
Upgrading police equiment with public address speaker and portable radio 60.00

Big Timber Police
Siren, light bar and lights, fingerprint kit 317.50

Fergus County Sheriff
Rental of Identi-Kit for 1 year 126.00

Yellowstone County Sheriff
One Viewiex and screen 365.61

$33,675.37

REGION V

Miles City P. D.
Electronic siren & PA system 152.02

Miles City P. D.
One 4 x 5 Crown Graphic Spec. 487.50

Forsyth P. D.
Field drug testing & fingerprinting equipment 299.25

Valley County
In-State training - JD schooling in Great Falls 104.84

Custer County
Adolescence & Identity Seminar attendance - travel 54.00

Custer County
Adolescence & Identity Seminar attendance - travel 54.00

Custer County
Adolescence & Identity Seminar attendance - travel 54.00

Sheridan County Sheriff
Jail Renovation 40,183.00

Roosevelt County
Antenna & 2 frequency operation 1,417.50

Rosebud County
Manpower and equipment to meet the needs of the coal development population 30,244.19

$73,050.30

STATE

P. O. S. T.
Personnel & operations for P.O.S.T. Program 25,000.34

Board of Crime Control
Oregon Correctional System Study-travel & per diem 500.00

Montana State Prison
Seminar-planning & design of correctional environments travel & per diem 409.52

Dept. of Institutions - Division of Aftercare
Foster & Group Home Statistical Program-data processing costs 500.00

Montana State University
Provides $50 weekly stipend to 12 students 10 weeks of practical experience 6,500.00

Mountain View School
Travel and per diem for counselors from the Mountain View School to visit 12 Aftercare Counselors in their respective jurisdictions 618.10

Pine Hills School
Travel and per diem to attend a group training session in Denver, January 14-20, 1973 287.40

Pine Hills School
Travel and per diem for 22 judges and probation officers to attend a 2 day seminar at the school 2,200.00

Division of Aftercare
Exchange Program - Aftercare counselors will visit the juvenile institutions for one or two days 905.00

Montana Supreme Court
Travel, per diem, and registration for Supreme Court Associate Justice Gene B. Daly's attendance at the Appelate Judges' Seminar in Reno, Nevada, May 20-26, 1973 324.50.

$ 37,244.86

Total **$422,073.53**

Emergency Assistance Available From Montana National Guard

The Montana National Guard offers assistance to civil authorities in emergency circumstances through the Military Support to Civil Authorities section. Requests for assistance can be made by calling 449-3612. This phone line is monitored by an answering service during off-duty hours but your message will be relayed to a staff duty officer who will immediately return your call.

The assistance of the ARNG will be authorized only under the following circumstances:

- Civilian resources have been exhausted or are insufficient.
- The mission is within ARNG capability.
- Civil authorities direct and coordinate the mission.
- A medical officer or doctor is available to direct the transportation of injured persons.
- A coroner or other authorized official is present to direct the removal of the dead.

Requests for assistance should come from elected or appointed officials of civilian government including the county sheriff, chiefs of police, county commissioners or the Montana Highway Patrol.

Missoula Sheriff Displays Confiscated Drugs, Weapons

Missoula County Sheriff John Moe exhibited an estimated $47,000 worth of confiscated drugs along with weapons seized from drug pushers at a press conference in Missoula, December 26.

The weapons included two loaded revolvers and stolen arms, ammunition and equipment recovered from drug pushers. The drugs and weapons had been confiscated by members of the regional Missoula city-county drug team in the previous ten days.

Sheriff Moe said he called the press conference to demonstrate the availability of drugs in Missoula, the use of weapons by drug pushers and the need for further assistance by concerned citizens.

He said tips from local citizens had led the team to the largest seizure of marujuana made in the county — more than 250 pounds — which was confiscated December 22, 1972, the team also seized 1800 hits of LSD and some hashish.

The regional drug team, which is funded by the Board of Crime Control was responsible for 55 arrests in Region One and 10 in other areas of the state in a three month period from July 1 through September 30, 1972, Sheriff Moe reported to the regional advisory council at their November meeting.

He also reported that the team had supplied information to the New York state police which had resulted in the confiscation of drugs with a street value of more than $2.5 million and the arrest of 32 persons in New York. The team has received a letter of appreciation from the New York state police, Moe said.

Scheduled Schools

Internal Revenue Service Special Agent Basic Schools are scheduled for the following dates:

January 23 - March 8, 1973

February 6 - March 22, 1973

according to David T. Austern, Director of the Office of Criminal Justice Plans and Analysis.

The Special Agent Basic School is the basic training course for officers of the Internal Revenue Service, Intelligence Division and is of value to law enforcement officers who desire training in combatting the infiltration of legitimate business by organized crime.

Only applicants with college level training in accounting will be accepted. LEAA funds for travel and per diem and for tuition can be arranged by contacting the Office of Criminal Justice Plans and Analysis, 1329 E Street N.W. Suite 200, Washington, D.C. 20004.

The Bureau of Narcotics and Dangerous Drugs have scheduled three training sessions for this area. The dates and locations are:

Denver, Colo.
February 5 - 16

Salt Lake City, Utah
April 2 - 13

Boise, Idaho
May 25 - June 1

The Bureau pays the costs of tuition and materials but travel and per diem are the responsibility of the employing agency.

Further information about the schools can be obtained from the Bureau of Narcotics and Dangerous Drugs, Seattle Regional Office, 221 First Avenue W. Room 200, Seattle, Wash. 98119.

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